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W.P.No.17875 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.17875 of 2022
and W.M.P.No.17221 of 2022

J.Uma

.. Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Dharmapuri.

2.The Executive Engineer (O&M),
TANGEDCO,
Ilakkiyampatti,
Dharmapuri.

3.The Assistant Executive Engineer,
TANGEDCO,
Ilakkiyampatti,
Dharmapuri.

4.The Assistant Accounts Officer,
Revenue Department,
TANGEDCO,
Dharmapuri Division,
Dharmapuri.

5.Mani

.. Respondents



W.P.No.17875 of 2022

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, forbearing the respondents 1 to 4 from transferring the name for the service connection in respect of the well comprised in the Survey No.243/4 situate at Pangunatham Village, Nallampalli Taluk, Dharmapuri District in favour of 5th respondent based on the order passed by the Tamil Nadu Electricity Ombudsman order dated 26.07.2021 made in AP.No.13 of 2021.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.L.Jai Venkatesh,
[TNEB]
R5 – Dispensed with

ORDER

This Writ Petition has been filed for a mandamus, to forbear the respondents 1 to 4 from transferring the name of the service connection in favour of the fifth respondent in respect of the well comprised in the Survey No.243/4 situated at Pangunatham Village, Nallampalli Taluk, Dharmapuri District, based on the order passed by the Tamil Nadu Electricity Ombudsman order dated 26.07.2021 in AP.No.13 of 2021.

2. Mr.L.Jai Venkatesh, learned standing counsel for TNEB, accepts notice on behalf of the respondents 1 to 4. Notice to the fifth respondent is



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dispensed with. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, she is also entitled for 1/3rd share in the aforementioned well. However, the fifth respondent is attempting to get the electricity service connection for the well exclusively transferred in his name. The petitioner has raised an objection for the same before the respondents 1 to 4 but according to the petitioner, despite the said objection, the respondents 1 to 4 are attempting to grant the electricity service connection for the well exclusively in favour of the fifth respondent.

4. No prejudice will be caused to the respondents if an enquiry is held after giving an opportunity of hearing to the petitioner and the fifth respondent before considering the request made by the fifth respondent for transfer of electricity service connection in respect of the well referred to supra. The second respondent shall afford an opportunity of hearing to the petitioner as well as the fifth respondent and thereafter, pass final orders on merits and in accordance with law in the application submitted by the fifth respondent seeking for transfer of electricity service connection for the



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subject well in his favour.

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5. For the foregoing reasons, this Court directs the second respondent to afford an opportunity of hearing to the petitioner including, permitting her to produce all necessary documents/records to substantiate her claim that she is entitled for 1/3rd rights in the subject well and thereafter, in the application submitted by the fifth respondent seeking for transfer of electricity service connection for the subject well exclusively in his name and pass final orders on merits and in accordance with law.

6. With the aforesaid directions, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

14.07.2022

Index: Yes/No

Internet: Yes/No

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To

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Dharmapuri.
- 2.The Executive Engineer (O&M),
TANGEDCO,
Ilakkiyampatti,
Dharmapuri.
- 3.The Assistant Executive Engineer,
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Ilakkiyampatti,
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- 4.The Assistant Accounts Officer,
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TANGEDCO,
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ABDUL QUDDHOSE,J.

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