



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32837 of 2019

C.Mani

...Petitioner

vs.

1. Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO),
Represented by its Chairman cum Managing Director,
10th Floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai - 600 002.

2. Assistant Accounts Officer,
Accounts Section,
TANGEDCO, Sankarapuram,
Kallakurichi Distribution Circle,
Villupuram District - 606 401.

3. Mrs. Veeramani

4. A.Saravanan

5. A.Ezhumalai

6. A.Jayavel

7. Mrs. Lakshmi

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to pass an order for name transfer in respect of agricultural electricity connection No.543-003-97 in favour of the petitioner on the basis of the petitioner's representation dated 16.09.2019.

For Petitioner : Mr.J.Agni Selvaraju

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 16.09.2019 and pass an order



for name transfer in respect of agricultural electricity connection No.543-003-97 in favour of the petitioner.

2. The case of the prosecution is that, he owns the agricultural land in Survey No.138/2 and the above said land is an ancestral property. While so, one Mr.S.Arumugam (Died) and his family members filed a suit in O.S.No.773 of 2009 for declaration and recovery of possession of the above said property, however, the same was dismissed and the property was held in favour of the petitioner vide order dated 27.06.2018, and confirmed the continuous possession and enjoyment over the property by the petitioner. Pursuant to the said order, the petitioner sent a letter / representation dated 16.09.2019 to the 2nd respondent for transfer of name from said Arumugam to the petitioner for agricultural electricity connection No.543-003-97. However, the 2nd respondent made a reply dated 30.09.2019, stating that, the petitioner's letter for name transfer will be considered only after the disposal of the appeal in A.S No. 73 of 2018 filed by one Ezhumalai, S/o. Arumugam. Aggrieved by said reply, the petitioner filed this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 16.09.2019 and transfer the electricity connection No.543-003-97 to the name of the petitioner as expeditiously as possible.

4. The learned Government Advocate appearing on behalf of the respondents submitted that, if the suit filed by the said Arumugam is dismissed, the petitioner's representation dated 16.09.2019 will be considered and appropriate orders will be passed for transfer of name within the time stipulated by this Court.

5. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondents 1 & 2.

6. In view of the above submissions, and also since the petitioner claims that the suit filed by the private respondents in O.S.No.773 of 2009 was dismissed and the property was held in favour of the petitioner, denying to transfer the electricity connection No.543-003-97 to the name of the petitioner on the ground that, no order has been passed in the appeal filed by the private respondents in A.S No.73 of 2018 is not sustainable, as there is no interim order restraining the 2nd respondent from transferring the electricity connection to the petitioner's name. Hence, this Court without hesitation, directs the 2nd respondent to consider the petitioner's representation dated



16.09.2019 on merits and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

skt

To:

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W.P.No.32837 of 2019

KG (CO)
SU(08/03/2022)