



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD)No.2219 of 2022

and

W.M.P(MD)No.1932 of 2022

(Through video Conference)

M.Maruthapandi

.. Petitioner

Vs.

The Junior Engineer,
Tamil Nadu Electricity Board Distribution Office,
Koomapatti, Watrap Taluk,
Virudhunagar District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent pertaining to the impugned order in க/எண்/உமியோ/இ பே/கூமா/கோ/கட்டு/அ/எண்.287/நாள்:08/10/2020 and quash the same as illegal and arbitrary and consequently direct the respondent to give electricity service connection to the petitioner's house, which is situated at Door No.212, Ammachiyarpuram Colony, S.Kodikulam Town Panchayath, Watrap Taluk, Virudhunagar District, based on the petitioner's online application, dated 22.09.2020 within the time that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard the learned counsel for the petitioner Mr.A.D.Ganeshamoorthi and Mr.S.Deenadhayalan, learned Standing Counsel for the respondent.

2. This writ petition has been filed questioning the order passed by the respondent, Junior Engineer, Tamil Nadu Electricity Board Distribution Office, Koomapatti, Watrap Taluk, Virudhunagar District rejecting the application of the petitioner seeking electricity connection for the residential portion at D.No.212,



Amachiyarpuram Colony, Koomapatti, S.Kodikulam Village, Watrap Taluk, Virudhunagar District.

3. The respondent had stated that the petitioner did not produce any revenue documents with respect to the property for which he seeks electricity connection and further stated that if such documents are produced, then his request for electricity connection would be considered.

4. The petitioner has produced a patta, which stands in the name of Essaku, son of Sithiran. The petitioner is the grandson of the aforementioned individual. This fact is not disputed. The parents of the petitioner have died. The petitioner thereafter continued to reside in the place for which the grandfather had patta. The death certificates obtained from the Village Administrative Officer of the concerned village speak to the fact that the petitioner is actually a member of the family. If that document is produced the respondent may, if the rules permit, consider the representation of the petitioner and reconsider the decision already taken.

5. The petitioner may also be called upon to execute any bond if required. It appears that there are some rival claims also. Therefore, it is only appropriate to direct the respondent to hear such rival claims before passing order. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. In view of the nature of the order passed in this writ petition, the order impugned in this writ petition passed by the respondent, dated 08.10.2020, is hereby set aside and the matter is again remitted back to the respondent for fresh consideration.

7. This writ petition is allowed to the above extent. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

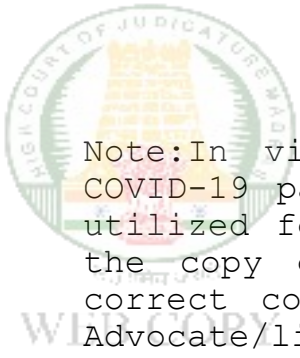
Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Junior Engineer,
Tamil Nadu Electricity Board Distribution Office,
Koomapatti,
Watrap Taluk,
Virudhunagar District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to
The Section Officer,
Writ Section
Madurai Bench of Madras High Court,
Madurai.

1CC TO MR. A.D.GANESHAMOORTHY, ADVOCATE SR:4379
1CC TO MR.S.DEENADHAYALAN, ADVOCATE SR 4257

DP
26/02/2022
3P/6C

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