



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.2748 of 2022

Christopher

... Petitioner

vs.

1.The Superintendent Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Nagercoil, Kanyakumri District.

2.The Deputy Engineer (Distribution),
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Eraniel, Kanniyakumari District.

3.The Assistant Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Eraniel, Kanniyakumari District.

4.Mercilin

5.Amala Mary

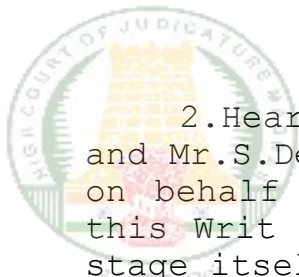
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 herein to provide new electricity service connection for the residential premises in No.46 in Old S.No.248/3/1 in Re.S.No.628/8, Manakaridesam, Eraniel Village, Kalkulam Taluk, Kanyakumari District by considering the petitioner's reminder representation, dated 15.01.2022 within a time stipulated by this Court.

For Petitioner :Mr.D.Nallathambi
For R1 to 3 :Mr.S.Deenadhayalan

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to provide new electricity service connection for the residential premises at No.46 in Old S.No.248/3/1 in Re.S.No.628/8, Manakaridesam, Eraniel Village, Kalkulam Taluk, Kanyakumari District by considering the petitioner's representation, dated 15.01.2022 within a time frame to be fixed by this Court.



2.Heard Mr.D.Nallathambi, learned Counsel for the petitioner and Mr.S.Deenadhayan, learned Standing Counsel, who accepts notice on behalf of the respondents 1 to 3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

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3.According to the petitioner, he is the absolute owner of the aforementioned property. He has applied for electricity service connection with the respondents 1 to 3 in the year 2011 itself and he has sent several representations thereafter and the last such representation was on 15.01.2022. Since electricity service connection has not been provided, he has approached this Court.

4.The respondents 4 and 5 have been arrayed as parties to the Writ Petition on the ground that they are preventing the petitioner from obtaining electricity service connection, despite he being the absolute owner of the property.

5.The petitioner claims that he is the absolute owner of the aforementioned property and in support of the same, he has produced certain documents, which are found in the typed set of papers filed along with this Writ Petition. He has also stated that the respondents 4 and 5 are preventing him from getting a new electricity service connection and he has been made to run from pillar to post from the year 2011 onwards for getting new electricity service connection.

6.A positive direction, as sought for in this Writ Petition, cannot be granted by this Court. It is for the respondents 1 to 3 to examine the application submitted by the petitioner and it is for them to get satisfied as to whether the petitioner has satisfied all the statutory requirements for grant of new electricity service connection or not. The only relief that can be granted by this Court is to direct the respondents 1 to 3 to consider the petitioner's representation, dated 15.01.2022 seeking for providing new electricity service connection in his name after giving notice to the respondents 4 and 5 and other necessary parties, if any. No prejudice will be caused to any other respondents, if such an exercise is done.

7.For the foregoing reasons, this Court directs the respondents 1 to 3 to consider the petitioner's representation, dated 15.01.2022 seeking for a new electricity service connection in his name for the property being the residential premises in No.48 in Old S.No.248/3/1 in Re.S.No.628/8, Manakaridesam, Eraniel Village, Kalkulam Taluk, Kanyakumari District and pass final orders, after hearing all the necessary parties including the petitioner and the respondents 4 and 5 within a period of twelve weeks from the date of receipt of a copy of this order.



8. With the above observation, this Writ Petition is disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (AE)

/ /2022
Sub Assistant Registrar (CS)

cmr

TO:

1. The Superintendent Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Nagercoil, Kanyakumari District.
2. The Deputy Engineer (Distribution),
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Eraniel, Kanniyakumari District.
3. The Assistant Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Limited,
Eraniel, Kanniyakumari District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-6033[F] dated 14/02/2022)

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-5436[F] dated 10/02/2022)

Order made in
W.P. (MD) No. 2748 of 2022
10.02.2022

SB (CO)

GC (22.02.2022) 3P 6C