



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.2848 of 2022

WEB COPY

Mariyarathinam

... Petitioner

vs.

1.The District Collector,
Tuticorin, Tuticorin District.

2.The Assistant Engineer (Distribution),
TANGEDCO, Tuticorin (Rural) North,
Tuticorin District.

3.The Designated Engineer,
TANGEDCO, AE/O&M Rural North,
Tuticorin,Tuticorin District.

4.S.Jayakudi

... Respondents

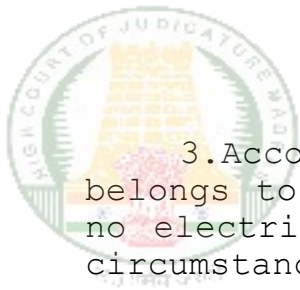
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation, dated 20.12.2021.

For Petitioner	:Mr.S.Muthumalai Raja
For R1	:Mr.M.Linga Durai
	Special Government Pleader
For R2 and R3	:Mr.S.Deenadhayalan

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to consider the petitioner's representation, dated 20.12.2021 requesting the respondents 1 to 3 not to grant electricity service connection to the fourth respondent for the property being house situated at Door No.11/184, T.Saveriapuram, Melur Post, Thoothukudi Taluk, Thoothukudi District.

2.Heard Mr.S.Muthumalai Raja, learned Counsel for the petitioner, Mr.M.Lingadurai, learned Special Government, who takes notice on behalf of the first respondent and Mr.S.Deenadhayalan, learned Standing Counsel, who takes notice on behalf of the second and third respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



3. According to the petitioner, the aforementioned property belongs to a Church and the fourth respondent is not the owner and no electricity service connection can be granted to him. In such circumstances, this Writ Petition has been filed.

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4. There is no necessity to consider the representation of the petitioner in this case, as already a direction was given by this Court on 04.12.2020 in W.P.(MD)No.13474 of 2020 in a Writ Petition filed by the fourth respondent seeking for consideration of his application for electricity service connection for the very same property, wherein, this Court has directed the respondents 1 to 3 to consider the said application on merits and in accordance with law.

5. The learned Standing Counsel for the respondents 2 and 3 would now submit that pursuant to the order passed by this Court in the aforementioned Writ Petition, the second respondent is processing the application of the fourth respondent seeking for electricity service connection and only if the fourth respondent satisfies all the statutory requirements, the second respondent will grant electricity service connection to him.

6. The learned Counsel for the petitioner is satisfied if the second respondent follows all the statutory requirements before granting any electricity service connection to the fourth respondent.

7. After hearing the submission made by the respective Counsels and after perusing and examining the contents of the affidavit filed in support of this Writ Petition, this Court directs the second respondent to strictly comply with all the statutory requirements before granting any electricity service connection to the fourth respondent for the property at Door No.11/184, T.Saveriapuram, Melur Post, Thoothukudi Taluk, Thoothukudi District. If need be, the second respondent can also hear the petitioner before granting electricity service connection to the fourth respondent.

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

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

1.The District Collector,
Tuticorin, Tuticorin District.

2.The Assistant Engineer (Distribution),
TANGEDCO, Tuticorin (Rural) North,
Tuticorin District.

3.The Designated Engineer,
TANGEDCO, AE/O&M Rural North,
Tuticorin,Tuticorin District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-6032[F] dated 14/02/2022)

+1 CC to M/s.SPL GP (SR-5954[F] dated 14/02/2022)

Order made in
W.P. (MD)No.2848 of 2022
11.02.2022

SB(CO)
TR(22.02.2022) 3P 6C