



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.3142 of 2022

Hyther Ali Ambalam

... Petitioner

vs.

1.The Executive Officer,
Office of Municipality,
Thiruppathur Town, Sivagangai District.

2.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thiruppathur Town, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to provide adequate electricity connection to the petitioner's shop situated in Survey No.285/4, Opp to Government Hospital, Thiruppathur Town, Sivagangai District by considering his representation dated 30.01.2022.

For Petitioner :Mr.S.A.Ajmal Khan

For R2 :Mr.S.Deenadhayalan

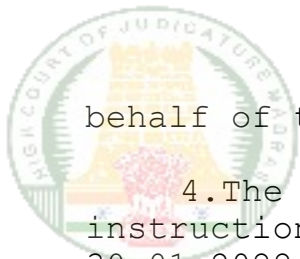
O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's application, dated 30.01.2022 seeking for electricity service connection for his shop situated in Survey No.285/4, opposite to Government Hospital, Thiruppathur Town, Sivagangai District and pass final orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is the owner of the aforementioned property having inherited the same from his grandfather, in whose name, patta stands. He has submitted an application on 30.01.2022 with the respondents seeking for electricity service connection for the aforementioned property. Since the said application has not been considered till date, he has filed this Writ Petition.

3.Heard Mr.S.A.Ajmal Khan, learned Counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who takes notice on

<https://hcservices.ecourts.gov.in/hcservices/>



behalf of the second respondent.

4.The learned Standing Counsel for the second respondent, on instructions, would submit that though the application, dated 30.01.2022 submitted by the petitioner has been uploaded in the respondents' website, the petitioner has not paid the necessary fees. Further, he would submit that the copies of documents in support of the petitioner's ownership were also not furnished to the respondents and that is the reason for not processing the petitioner's application.

5.The learned Counsel for the petitioner, on instructions, would submit that the petitioner is willing to pay the necessary charges as sought by the second respondent within a time frame to be fixed by this Court and the petitioner is also willing to furnish the required documents to substantiate the petitioner's claim that he is the owner of the subject property for which electricity service is sought for. He would also submit that the petitioner is willing to submit any indemnity bond as sought by the second respondent. The said statement is recorded.

6.No prejudice will be caused to the respondents, if the petitioner's application is considered on merits and in accordance with law subject to the payment of necessary charges as requested by the second respondent is paid and subject to the condition that the petitioner satisfies all the statutory requirements for grant of electricity service connection.

7.Accordingly, this Court directs the petitioner to pay the necessary charges as sought by the second respondent for grant of electricity service connection within a period of one week from the date of receipt of a copy of this order. On receipt of the same and receipt of hard copies of the documents in support of the petitioner's claim that he is the owner of the aforementioned property, the second respondent shall process the application and pass final orders on merits and in accordance with law within a period of four weeks thereafter, after affording a fair hearing to the petitioner.

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

Sd/-

Assistant Registrar (DR-A/C)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The Executive Officer,
Office of Municipality,
Thiruppathur Town, Sivagangai District.

2.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thiruppathur Town, Sivagangai District.

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-7174[F] dated
18/02/2022)

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-7580[F] dated
21/02/2022)

W.P.(MD)No.3142 of 2022
17.02.2022

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