



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3635 of 2022

S.Senthil Kumar

.. Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Palaya Pettai,
Tirunelveli - 627 008.

2.The Assistant Engineer,
TANGEDCO,
Palaya Pettai,
Tirunelveli - 627 008.

3.The Executive Engineer,
TANGEDCO,
Palaya Pettai,
Tirunelveli - 627 008.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent on the basis of the petitioner's representation dated 20.12.2021.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 20.12.2021 seeking for a domestic electricity service connection for the property at No.62A, Periya Theru, Tirunelveli District.

2.It is the case of the petitioner that he applied for domestic electricity service connection from the second respondent through his representation dated 20.12.2021 and he is also requesting the respondents not to change the electricity service connection to any other tariff. Since the representation has not been considered till date, he has filed this writ petition.



3.Heard Mr.M.Sankar, learned counsel appearing for the petitioner and Mr.Deenadhayan, learned Standing Counsel, who accepts notice on behalf of the respondents.

4.On instructions, Mr.Deenadhayan, learned Standing Counsel for the respondents would submit that the property stands in the name of the petitioner's father Mr.M.Sivanesan, who was earlier having a domestic electricity service connection with domestic tariff and thereafter, sought for transfer of the same to construction tariff, which was also granted by the respondents on 14.09.2021 itself. Therefore, he would submit that the petitioner cannot seek for domestic tariff. He would also submit that there is a dispute between the petitioner and his father. The said statement is recorded.

5.Further, it is the contention of the petitioner that he has been paying the electricity consumption charges for the subject property and further he would submit that he is in possession of the same and therefore, he is entitled for getting the electricity service connection.

6.No prejudice will be caused to the respondents, if the petitioner's representation dated 20.12.2021, seeking for electricity service connection in his name for the subject property is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as his father M.Sivanesan, in whose name presently the electricity service connection stands, within a time frame to be fixed by this Court.

7.Accordingly, this Court directs the second respondent to consider the petitioner's representations dated 20.12.2021 and 17.01.2022, seeking for transfer of construction tariff (Tariff - VI) to domestic tariff (Tariff - IA) and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and his father Mr.M.Sivanesan and any other necessary party, which the second respondent deems fit to enquire within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid directions, this writ petition stands disposed of. No costs.

Sd/-

Deputy Registrar (Accounts)

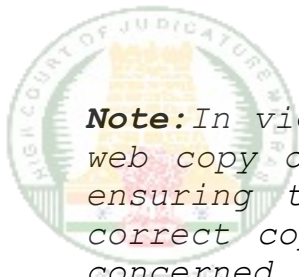
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/ /2022

Sub Assistant Registrar(CS)

TM

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



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.

WEB COPY

To

- 1.The Superintending Engineer,
TANGEDCO,
Palaya Pettai,
Tirunelveli - 627 008.
- 2.The Assistant Engineer,
TANGEDCO,
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- 3.The Executive Engineer,
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