



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4235 of 2022

WEB COPY

Sekar

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Trichy District.

2.The Assistant Electrical Engineer,
Operation and Maintenance,
TANGEDCO, Thuraiyur,
Trichy District.

3.N.Raja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to effect electricity service connection to the petitioner's house situated in Door No.3/26A, Survey No.705/9, North Street, Keerambur Village, Thuraiyur Taluk, Trichy District pursuant to his online application in Reference No.20006275022238 dated 23.02.2022 in the light of Clause 27(4) of the Tamil Nadu Electricity Distribution Code.

For Petitioner : Mr.T.Lenin Kumar

For Respondents 1&2 : Mr.S.Deenadhayalan
Standing Counsel

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to effect electricity service connection to the petitioner's house situated in Door No.3/26A, Survey No.705/9, North Street, Keerambur Village, Thuraiyur Taluk, Trichy District pursuant to his online application in Reference No.20006275022238 dated 23.02.2022 in the light of Clause 27(4) of the Tamil Nadu Electricity Distribution Code and pass orders within a time frame to be fixed by this Court.

2.The case of the petitioner is that he is the absolute owner of the aforementioned property. However, according to him there is a dispute with the third respondent with regard to the ownership and second appeal is pending before this Court as regards the said



dispute. The petitioner claims that he is in possession and enjoyment of the property and the third respondent does not have any right over the same. The petitioner has applied for electricity service connection for the aforementioned property on 23.02.2022. According to the petitioner his application has already been processed but till date, the second respondent has not granted electricity service connection due to the dispute raised by the third respondent. In such circumstances, the petitioner has filed this writ petition.

3.Heard Mr.T.Lenin Kumar, learned Counsel for the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of the respondents 1 and 2.

4.Learned Standing Counsel for the respondents 1 and 2 on instructions would submit that since objections have been raised by the third respondent, the electricity service connection was not granted to the petitioner. He would further submit on instructions that since second appeal is pending on the file of this Court pertaining to the dispute between the petitioner and the third respondent, though the application was processed, electricity service connection has not been given to the petitioner till date.

5.No prejudice would be caused to the official respondents if the petitioner's application dated 23.02.2022 seeking for electricity service connection is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent.

6.Accordingly, this Court directs the second respondent to consider the petitioner's online application dated 23.02.2022 seeking for electricity service connection in his favour in respect of the property being a house in Door No.3/26A, Survey No.705/9, North Street, Keerambur Village, Thuraiyur Taluk, Trichy District and pass final orders on merits and in accordance with law within a period of six [6] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the third respondent.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

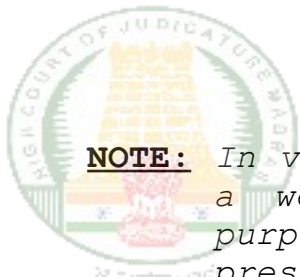
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/ /2022

Sub Assistant Registrar(CS)

MR

<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,
Trichy District.
- 2.The Assistant Electrical Engineer,
Operation and Maintenance,
TANGEDCO, Thuraiyur,
Trichy District.

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