



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.4742 of 2022

WEB COPY

K.Chokkalingam

... Petitioner

vs.

- 1.The Divisional Engineer
Tamil Nadu Generation and
Distribution Corporation Limited, Thuraiyur,
Trichy District.
- 2.The Superintending Engineer
Tamil Nadu Generation and
Distribution Corporation Limited, Mannaarpuram,
Trichy District.
- 3.The Assistant Executive Engineer (South),
Tamil Nadu Generation and
Distribution Corporation Limited, Thuraiyur, Trichy District.
- 4.The Assistant Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited, Pulivalam, Trichy-20.
- 5.V.Durairasu ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 01.08.2021 and to direct the respondents 1 to 4 to restore the electricity service connection no.277-005-676 in the petitioner's name in respect of Sri Pattavan Swamy Temple situated at Thinnanoor Village, Musiri Taluk, Trichy District.

For Petitioner :Mr.J.Jeyakumaran

For Respondents :Mr.S.Deenadhayalan

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 01.08.2021 and to direct the respondents 1 to 4 to restore the electricity service connection No.277-005-676 in



the petitioner's name in respect of Sri Pattavan Swamy Temple situated at Thinnanoor Village, Musiri Taluk, Trichy District comprised in S.No. (*) 989/6 within a time frame to be fixed by this Court.

2. It is the case of the petitioner that the aforementioned property belongs to Arulmighu Sri Pattavan Swamy Temple, in which the petitioner is the hereditary Priest. According to the petitioner, by forging the patta, the fifth respondent, who was the wire man in TNEB, has obtained electricity service connection for the very same property in his name. In such circumstances, the petitioner has given a representation on 01.08.2021 requesting the official respondents to restore the electricity service connection in the name of Arulmighu Sri Pattavan Swamy Temple. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

3. Heard Mr. J. Jeyakumaran, learned Counsel for the petitioner and Mr. S. Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of R1 to R4.

4. No prejudice will be caused to the respondents, if the petitioner's representation seeking for restoration of electricity service connection in the name of Arulmighu Sri Pattavan Swamy Temple, is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the fifth respondent as well as any other necessary party, whom the fourth respondent deems fit to enquire.

5. It is the case of the petitioner that the fifth respondent has obtained the electricity service connection in his name based upon a forged patta. The said contention will have to be considered by the fourth respondent in the final order to be passed by him as per the direction of this Court today.

6. For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation, dated 01.08.2021 seeking for a direction to the respondents to restore the electricity service connection No. 277-005-676 in the petitioner's name in respect of Sri Pattavan Swamy Temple situated at Thinnanoor Village, Musiri Taluk, Trichy District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the fifth respondent as well as any other necessary party, whom the fourth respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.



7. With the aforesaid directions, this Writ Petition is of. No costs.

Sd/-

Assistant Registrar()

(*) Amended as per the order of this court in WMP(MD).No. 10612 of 2022 in WP(MD).No. 4742 of 2022 by GRSJ dated 08/08/2022

Sd/-

Assistant Registrar(CS-II)

// True Copy //

14/09/2022

Sub Assistant Registrar(CS)

Cmr

(*) to be substituted the order already despatched on 01/04/2022
To

1. The Divisional Engineer
Tamil Nadu Generation and
Distribution Corporation Limited, Thuraiyur,
Trichy District.
2. The Superintending Engineer
Tamil Nadu Generation and
Distribution Corporation Limited, Mannaarpuram,
Trichy District.
3. The Assistant Executive Engineer (South),
Tamil Nadu Generation and
Distribution Corporation Limited, Thuraiyur, Trichy District.
4. The Assistant Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited, Pulivalam, Trichy-20.

+1 CC to M/s.J.JEYAKUMARAN, Advocate (**SR-8304** dated 18/03/2022)

Order made in
W.P. (MD) No. 4742 of 2022
17.03.2022

nsn(CO)

TR(28.03.2022) 3P 6C

KB(14.09.2022) 3P 6C