



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5185 of 2022

WEB COPY

C.Roopavani

... Petitioner

Vs.

1.The Chief Engineer,
Madurai Region,
Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
Madurai.

2.The Designated Engineer,
AE/O&M/Anna Nagar,
Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
Anna Nagar,
Madurai.

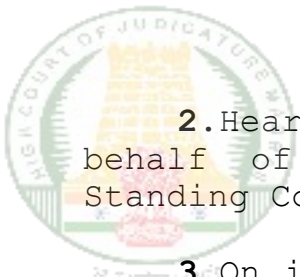
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to transfer the petitioner's name in electricity service connection relating to A/C.No.008003357, 0080031711, 0080031712, 0080031722, 0080031725, 008003176 and 0080031727 to petitioner's building premises situated in R.S.No.277/1A1 in Vandiyur Village, Madurai Town by considering the petitioner's applications No.200050080222188, 200050080222199, 200050080222200, 200050080222201, 200050080222202, 200050080222203 and 200050080222204 within stipulated time fixed by this Court.

For Petitioner	: Mr.K.R.Manimaran
For Respondents	: Mr.S.Deenadhayalan
	Standing Counsel
	: Mr.M.Murugan
	Counsel for husband of the petitioner
	[not a party in this Writ Petition]

O R D E R

This writ petition has been filed seeking for a direction to transfer the petitioner's name in electricity service connection relating to A/C.No.008003357, 0080031711, 0080031712, 0080031722, 0080031725, 008003176 and 0080031727 in respect of the building premises situated in R.S.No.277/1A1 in Vandiyur Village, Madurai Town, by considering the petitioner's applications dated 24.02.2022, 27.02.2022 and 28.02.2022, within a time frame to be fixed by this Court.



2. Heard Mr.K.R.Manimaran, learned Counsel who accepts notice on behalf of the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of the respondents.

3. On instructions, learned Standing Counsel for the respondents now submits that the applications submitted by the petitioner seeking for transfer of electricity service connection has now been closed, in view of the long delay. He would also submit that there is a dispute between the petitioner and her husband. According to him, the service connection stands in the name of the petitioner's husband. He would submit that earlier settlement deed which was executed by the petitioner's husband in favour of the petitioner was subsequently cancelled.

4. However, learned Counsel for the petitioner submits that the same was unilaterally cancelled and the petitioner has also obtained a civil Court decree in her favour. The said statement is recorded. Learned Counsel for the petitioner also submits that the petitioner is prepared to submit a fresh application to the respondents seeking for transfer of electricity service connection in her name. The said statement is recorded.

5. However, Mr.M.Murugan, learned Counsel appearing for the husband of the petitioner would submit that the Civil Court decree obtained by the petitioner is an ex-parte decree and his client is taking steps to set aside the ex-parte decree by filing appropriate application before the said Civil Court. The said statement is also recorded.

6. No prejudice would be caused to the respondents if the petitioner is permitted to submit a fresh application seeking for transfer of electricity service connection in her name and the said application is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the petitioner's husband Chandrasekar.

7. Accordingly, this Court directs the petitioner to submit a fresh application along with the relevant documents seeking for transfer of electricity service connection relating to A/C.No.008003357, 0080031711, 0080031712, 0080031722, 0080031725, 008003176 and 0080031727, in her name within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the said application, the second respondent is directed to consider the said application on merits and in accordance with law after affording a fair hearing to the petitioner as well as her husband Chandrasekar and also by affording an opportunity of personal hearing to them and pass final orders within a period of eight [8] weeks, thereafter.



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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The Chief Engineer,
Madurai Region,
Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
Madurai.

2. The Designated Engineer,
AE/O&M/Anna Nagar,
Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO),
Anna Nagar,
Madurai.

+1 CC to M/s.M.SELVAKUMAR, Advocate (SR-14459[F] dated 25/03/2022)

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-14724[F] dated
25/03/2022)

W.P.[MD]No.5185 of 2022
24.03.2022

NSN(CO)

KB(05.04.2022) 3P 5C