



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5260 of 2022

Karuppasamy

... Petitioner

Vs.

1.The Chief Electrical Engineer,
District Head Electrical Board Office,
Near Old Bus stand,
Pudukkottai District.

2.The Assistant Electric Engineer,
Office of Alangudi Town Electric Board,
Kalipullah Nagar,
Alangudi,
Pudukkottai District.

...Respondents

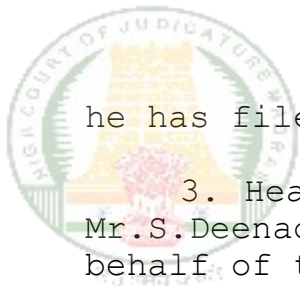
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to give electric connection in favour of the petitioner at UDR Survey No.151/2 A1 (New Survey No.151/2), Alangudi Village, Alangudi Taluk, Pudukkottai District based on the petitioner's representation dated 19.11.2019.

For Petitioner	:	M/s.A.Banumathy
For Respondents	:	Mr.S.Deenadhayalan, Standing Counsel.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to give electricity connection in favour of the petitioner for the property bearing UDR Survey No.151/2A1 (New Survey No.151/2) situated at Alangudi Village, Alangudi Taluk, Pudukkottai District based on the petitioner's representation dated 19.11.2019 within a time frame to be fixed by this Court.

2. According to the petitioner, he purchased the aforementioned property under a sale deed dated 11.03.2015 registered as Document No.541/2015 on the file of the Sub-Registrar, Alangudi. The petitioner has applied for electricity service connection in his favour and has given a representation on 19.11.2019 for the said purpose. Since his application has not been considered till date,



he has filed this Writ Petition.

3. Heard Ms.A.Banumathy, learned counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents.

WEB COPY

4. Mr.S.Deenadhayalan, learned Standing Counsel, on instructions, would submit that earlier the revenue records standing in the name of Mr.Vinson, the vendor of the petitioner, has been cancelled and is subject matter of appellate proceedings. He would also submit that a partition suit is pending between the predecessors in title of the petitioner. Only under those circumstances, till date, the petitioner's application has not been processed.

5. However, this Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's application seeking for electricity service connection is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom the second respondent deems fit to enquire. Since the petitioner's representation is of the year 2019, this Court deems it fit to direct the petitioner to submit a fresh representation to the second respondent.

6. Accordingly, this Court directs the petitioner to submit a fresh representation to the second respondent requesting him to grant electricity service connection in favour of the petitioner for the property bearing UDR Survey No.151/2A1 (New Survey No.151/2) situated at Alangudi Village, Alangudi Taluk, Pudukkottai District within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the second respondent deems fit to enquire, within a period of eight (8) weeks thereafter.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm



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.

To

1.The Chief Electrical Engineer,
District Head Electrical Board Office,
Near Old Bus stand,
Pudukkottai District.

2.The Assistant Electric Engineer,
Office of Alangudi Town Electric Board,
Kalipullah Nagar,
Alangudi,
Pudukkottai District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-14727
[F] dated 25/03/2022)

W.P. (MD) .No.5260 of 2022
24.03.2022

TP (CO)
KB (04.04.2022) 3P 4C