



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD] No.5911 of 2022

Kalaiyarasi

... Petitioner

Vs.

1. The Chief Engineer/Distribution,
Office of the Chief Engineer,
TNEB/Maharaja Nagar,
Thirunelveli.
 2. The Superintending Engineer/Virudhunagar,
Virudhunagar EDC, TANGEDCO Ltd,
Virudhunagar District.
 3. The Executive Engineer/Aruppukottai,
Office of the Assistant Engineer, Distribution/TNEB,
Aruppukottai,
Virudhuangar District.
 4. The Assistant Executive Engineer,
Office of the Assistant Engineer, Distribution/TNEB Rural,
Aruppukottai,
Virudhuangar, Virudhunagar District.
 5. The Assistant Engineer/Thiruchuli,
Office of the Assistant Engineer, Distribution/TNEB,
Thiruchuli,
Virudhunagar District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 to 4 to dispose of petitioner's appeal representation for providing Electricity connection to petitioner house in S.No.46/4B of Sokkampatti Village, Panikkurippu Panchayat, Thirculli Taluk, Virudhunagar District within a stipulated time.

For Petitioner : Mr.S.Balakarthick

For Respondents : 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 respondents 1 to 4 to dispose of the petitioner's representation dated 06.09.2021 seeking for electricity connection for his house in S.No.46/4B of Sokkampatti Village, Panikkurippu Panchayat, Thirculli Taluk, Virudhunagar District within a time frame to be fixed by this Court.



2.The petitioner has applied for electricity service connection for the aforementioned property on 11.03.2021. According to him, he has submitted all the statutory requirements of the respondents for getting the electricity service connection in his name. He also claims that he is the owner of the subject property. He has filed the house tax receipt, 'A' register, FMB sketch along with this writ petition. The Village Administrative Officer has also certified that there is a pathway leading to the petitioner's house. The petitioner has submitted the online application on 11.03.2021. However, according to the petitioner, despite submitting all the necessary documents, the fifth respondent has rejected the petitioner's application on 16.08.2021. Aggrieved by the same, the petitioner has given a representation to the third and fourth respondents on 06.09.2021, who is the appellate authority. Since the said representation dated 06.09.2021 has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.S.Balakarthick, learned Counsel appearing for the writ petitioner and Mr.S.Deenadhayalan,learned Standing Counsel who accepts notice on behalf of the respondents.

4.The representation dated 06.09.2021 given to the third and fourth respondents can be treated as a statutory appeal. Admittedly, the representation dated 06.09.2021 has not been considered till date. A categorical stand has been taken by the petitioner that there is a pathway to the petitioner's house. By order dated 16.08.2021, the fifth respondent rejected the petitioner's application on the ground that there is no pathway leading to the petitioner's house. The same is disputed by the petitioner. The petitioner has also filed a certificate of the Village Administrative Officer dated 04.03.2021, disclosing that there is a proper pathway to the petitioner's house. According to the petitioner, the same has not been considered in the earlier order dated 16.08.2021 passed by the fifth respondent.

5.No prejudice would be caused to the respondents if a direction is issued by this Court to the third respondent to pass final orders within a time frame to be fixed by this Court after affording a fair hearing to the petitioner.

6.For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 06.09.2021, which is treated as a statutory appeal after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of eight [8] weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (AD II)

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Sub Assistant Registrar (CS)

MR

To

1. The Chief Engineer/Distribution,
Office of the Chief Engineer,
TNEB/Maharaja Nagar,
Thirunelveli.
2. The Superintending Engineer/Virudhunagar,
Virudhunagar EDC, TANGEDCO Ltd,
Virudhunagar District.
3. The Executive Engineer/Aruppukottai,
Office of the Assistant Engineer, Distribution/TNEB,
Aruppukottai,
Virudhunagar District.
4. The Assistant Executive Engineer,
Office of the Assistant Engineer, Distribution/TNEB Rural,
Aruppukottai,
Virudhunagar District.
5. The Assistant Engineer/Thiruchuli,
Office of the Assistant Engineer, Distribution/TNEB,
Thiruchuli,
Virudhunagar District.

+1 CC to M/s.S.BALAKARTHICK, Advocate (SR-15930[F] dated
01/04/2022)

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-16654[F] dated
05/04/2022)

W.P. [MD]No.5911 of 2022
01.04.2022

MGJ(19.04.2022) 3P 8C