



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6847 of 2022

and

W.M.P.[MD]No.5266 of 2022

M.Kalpana Devi

... Petitioner

/Vs./

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinayakanpatti,
Kurumbatti Village,
Dindigul.
2. The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
TANGEDCO,
Chinnalapatti,
Dindigul District.
3. The Assistant Engineer,
Generation and Distribution Corporation,
Tamil Nadu Electricity Board,
Sembatti,
Dindigul District.
4. Thomas

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No. 1 to 3 to change over the Electricity connection No.234-003-598 from the bore Well to the Well (keni) in S.F.No.187/2 situated at Kuttathupatti Village, Dindigul West, Dindigul District, as per the sale deed in document No. 4245 of 2016 on the file of the Joint No.II Sub Registrar, Dindigul, based on the representations dated 23.07.2021 and 23.03.2022 within a stipulated period fixed by this Court.

For Petitioner
For R1 to R3

: Mr.N.Marivel
: Mr.S.Deenadhayan
Standing Counsel



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to change over the Electricity connection No.234-003-598 from a bore Well to a Well (keni) in S.F.No.187/2 situated at Kuttathupatti Village, Dindigul West, Dindigul District, as per the sale deed in document No. 4245 of 2016 on the file of the Joint No.II Sub Registrar, Dindigul, based on the representations dated 23.07.2021 and 23.03.2022 , within a time frame to be fixed by this Court.

2.The petitioner has applied for change over of the electricity service connection from bore Well to a Well (keni), in respect of the aforementioned property. The petitioner has submitted representations dated 23.07.2021 and 23.03.2022 for the said purpose. Since the said representations have not been considered till date, this writ petition has been filed.

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

4.The learned Standing Counsel appearing on behalf of the official respondents, on instructions, would submit that if separate or joint patta is produced for the subject property, which discloses the name of the petitioner, the petitioner's representations will be considered on merits and in accordance with law. The said statement is recorded.

5.The learned counsel appearing for the petitioner submits that the petitioner has produced all the necessary documents as required by the respondents to enable them to consider her representations.

6.No prejudice would be caused to the first respondent, if the representation of the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner including granting her the right of personal hearing.

7.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representations dated 23.07.2021 and 23.03.2022 seeking for change over of the Electricity connection No.234-003-598 from a bore Well to a Well (keni) in S.F.No.187/2 situated at Kuttathupatti Village, Dindigul West, Dindigul District, as per the sale deed in document No. 4245 of 2016 on the file of the Joint No.II Sub Registrar, Dindigul, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting her the right of personal hearing, and pass order within a period of twelve [12] weeks from the date of receipt of a copy of this order.



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

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /2022

Sub Assistant Registrar (CS)

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To

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinayakanpatti,
Kurumbatti Village,
Dindigul.
2. The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
TANGEDCO,
Chinnalapatti,
Dindigul District.
3. The Assistant Engineer,
Generation and Distribution Corporation,
Tamil Nadu Electricity Board,
Sembatti,
Dindigul District.

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-18707[F] dated
13/04/2022)

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12.04.2022

SG(CO)
KB(29.04.2022) 3P 5C