



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 16.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.16060 of 2021
and
W.M.P(MD)No.12930 of 2021

S.Malliga

..Petitioner

Vs

- 1.The Chief Engineer,
TANGEDCO,
Reserve Line, K.Pudur,
Madurai Town.
- 2.The Superintendent,
TANGEDCO,
Reserve Line, K.Pudur,
Madurai Town.
- 3.The Executive Engineer,
TANGEDCO,
Power House, Paravai 2nd Bit,
Samayanallur Post,
Madurai North Taluk,
Madurai District.
- 4.The Assistant Executive Engineer,
TANGEDCO,
Power House, Paravai 2nd Bit,
Samayanallur Post,
Madurai North Taluk,
Madurai District.
- 5.The Assistant Engineer,
TANGEDCO,
Sozhavanthan,
Vadipatti Taluk,
Madurai 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 respondents herein to provide electricity service connection to the Petitioner's house bearing Door No.46, Main Road, Koraimianpet, sozhavanthan, Sozhavanthan Town Panchayat, Vadipatti Taluk, Madurai District, as per the Petitioner's representation dated 20.2.2021 as per Clauses 27(1)(1) and 27(2)(4) of the Tamil Nadu Electricity Distribution Code within the reasonable time fixed by this Court.

For Petitioner :Mr.K.Muthu Ganesa Pandian

For Respondents:Mr.S.Deenadhayalan
1 to 5 Standing Counsel

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the respondents herein to provide electricity service connection to the Petitioner's house bearing Door No.46, Main Road, Koraimianpet, sozhavanthan, Sozhavanthan Town Panchayat, Vadipatti Taluk, Madurai District, as per the Petitioner's representation dated 20.2.2021 as per Clauses 27(1)(1) and 27(2)(4) of the Tamil Nadu Electricity Distribution Code within the reasonable time fixed by this Court.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the Petitioner is that the Petitioner is residing at the



prayed mentioned address, which is situated in Ayyan Old S.No.333/3 and New S.No.733/2, measuring an extent of 3 cents. The Petitioner's father and brother had purchased the above property on 29.5.1964 and both died intestate in the year 1998 and 2003 respectively and the same was orally partitioned thereafter and southern side portion was allotted to the Petitioner's father Koraimian Sahib and northern portion was allotted to the Petitioner's brother. During his life time, the Petitioner's father executed an equitable mortgage on 14.1.1986 for a period of five years for Rs.5000/- and as the Petitioner's father was not able to redeem it, he had surrendered the tiled house in favour of the Petitioner and was now in occupation and enjoyment of the Petitioner. Whiles, the Petitioner's brother filed R.C.O.P.No.2 of 2014, on the file of the District Munsif Court (Rent Controller), Madurai, for treating the Petitioner as a tenant and to evict her from the said house, by suppressing the registered equitable mortgage already executed. In the meantime, the Petitioner has submitted an application on 20.2.2021 seeking electricity connection for the said house. Since the same was not considered till date, the Petitioner has filed this Writ Petition for the relief stated supra.

4. The learned Standing Counsel appearing for the respondents 1 to 5 would submit that the Petitioner may be directed to submit an application through on-line seeking electricity connection for her dwelling house and if the same is submitted so, the authorities will consider the



same in accordance with law, within the time limit prescribed by this Court.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the Petitioner to submit an application through on-line seeking electricity connection to her dwelling house as stated supra, within a period of two weeks from the date of receipt of a copy of this order and on such application being received, the respondents are directed to consider the said online application on merits and in accordance with law, if it is otherwise in order and pass appropriate orders granting electricity connection to the Petitioner's house within a period of six weeks from the date of receipt of such application from the Petitioner.

6. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

16.11.2022

Index : Yes/No

Internet: Yes/No

vsn



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN

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