



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.12.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.34374 of 2023

C.Manivannan

... Petitioner

Vs

1.The Chief Engineer,
TANGEDCO, Anna Salai,
Chennai-600 002

2.Superintending Engineer
Chennai South, KK Nagar
TANGEDCO, Chennai-78

3.Assistant Engineer, TANGEDCO
Thillai Ganga Nagar,
No.21, 21st street, Adambakkam,
Thillai Ganga Nagar, Chennai-61

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to transfer the EB connection name in favour of petitioner and dispose of the representation dated 03.10.2023.



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For Petitioner : Mr.J.Athiamaan

For Respondents : Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh
Standing Counsel

ORDER

Ms.Keerthana Shenoi, learned counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents and is armed with necessary instructions to enable final disposal of this matter, even at this juncture. Hence, by consent of both sides, final order is passed in this Writ Petition, even at the stage of admission.

2. The prayer in the Writ Petition is for a mandamus directing R3, being Assistant Engineer, Tangedco, Adambakkam, Chennai, to consider the representation of the petitioner dated 03.10.2023 seeking transfer of electricity service connection in respect of a property at Door No.158-A, Adambakkam Village, Old S.No.190/17, Alandur Taluk, Chengalpet District (Property/property in question).

3. The petitioner claims that the property belongs to one Thaiyanayaki, who is his aunt. He claims to be a resident of that property, which he states was his aunt's absolute property. His aunt passed away intestate on 28.03.2023, her husband on 20.03.2023 and her daughter on 26.09.2020.



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4. The petitioner cites an unregistered Will stated to have been executed on 27.03.2023 by his aunt to cement his connection with the property. Based on that Will, he has approached R3 for name transfer of the electricity service connection bearing No.243-107-191, which stands in the name of his aunt, to himself.

5. An application was made online in this regard and the same was cancelled on 09.10.2023 for want of credible supporting documents to establish his claim of residence in the property. Thereafter, he has made a representation on 03.10.2023, again seeking name transfer of the electricity service connection in his name. Even in this application, there is no reference to any registered documents and the same unregistered Will is relied on.

6. In such circumstances, there is hardly any purpose to be served by directing disposal of the representation, as it is expected to meet the same fate as the application made earlier.

7. However, since that application has been dismissed unilaterally and the petitioner was not heard, solely to correct that lacuna, the petitioner is permitted to appear before R3 on 21.12.2023 at 10.30 a.m. without anticipating any notice in this regard along with all/any registered documents in support of his claim to possession of the property in question.



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Dr.ANITA SUMANTH,J.

8. R3, upon consideration of the registered documents, if any, produced by the petitioner, shall hear him as well as any other thought necessary in the matter and pass orders on his representation dated 03.10.2023 on merits and in accordance with law and all prevailing Rules and Regulations, within a period of eight (8) weeks from date of personal hearing.

9. This Writ Petition is disposed as above. No costs.

13.12.2023

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

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