



W.P.(MD)No.18642 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 18642 of 2020

and

WMP(MD) No.167 of 2021

A.Hassan Mohaideen

... Petitioner

Vs.

- 1.Chairman cum Managing Director,
TamilNadu Generation and Distribution Corporation,
10th Floor, NPKRR Maligai,
144, Anna Salai,
Chennai-600002.
- 2.Superintending Engineer - Ramnad,
Tamilnadu Generation and Distribution Corporation,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram - 623503.
- 3.Executive Engineer (Distribution) - Ramnad,
Tamilnadu Generation and Distribution Corporation,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram - 623503.



W.P.(MD)No.18642 of 2020

WEB COPY

4. Assistant Engineer,
Tamilnadu Generation and Distribution Corporation,
12/92-A,
Panaikulam – 623522.

5. Anvardeen ... Respondents

[The 5th respondent is impleaded as per Order of this Court, dated 07.09.2023]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus or directing the respondents 1 to 4 herein to consider the representation of the petitioner dated 17.12.2019 and 06.03.2020 and transfer the service connections Nos.05-310-002-1335, 310-002-1263, 310-002-1264, 310-002-1265, 310-002-1266, 310-002-1267, 310-002-1268, 310-002-1269, 310-002-1270 at Survey No.110/1, Alangulam Village, Ramanathapuram to the name of the petitioner.

For Petitioner : No appearance

For Respondents : Mr. S.Deenadhayalan
Standing Counsel for R1 to R4

ORDER

The Writ petitioner has filed this writ petition through his Power Agent based on the Power of Attorney, dated 29.03.2019, vide Adjudication No. 17 of 2023 before the SRO, Joint II, Ramanathapuram which is still subsisting.



W.P.(MD)No.18642 of 2020

WEB COPY

The petitioner is residing in United States of America for the past 20 years and he is an absolute owner of the premises. He has purchased the vacant site, vide Registration Document No.641/1973 and he is in peaceful possession of the same.

2. The 5th respondent herein/Anvardeen who is his brother of the petitioner has collected money from the relatives and general public, allegedly citing lack of sufficient funds for construction which is being carried out for the Mosque. When the said fact came to the knowledge of the petitioner, he had relieved the said Anvardeen from all the duties and also directed not to collecting rents. The contention of the petitioner is that the said Anvardeen has obtaining Electricity Service Connection for the shop in S.No.110/2001 Alangulam Village by committing fraud upon the petitioner since the said land is belonging to the petitioner, but EB connection was obtained in the name of the said Anvardeen. Therefore, the petitioner is seeking to change Service Connection in his name.



W.P.(MD)No.18642 of 2020

WEB COPY

3. There is no appearance on the side of the Petitioner, heard Mr. S.Deenadhayalan, the Learned Standing Counsel for the respondents 1 to 4 and perused the material documents available on record.

4. The respondents have submitted that even though, the petitioner has submitted an application he has not substantiated his claim by way of filing documents or any other documents to prove his title.

5. In view of the aforesaid submission, the petitioner is directed to file a fresh application along with relevant documents to substantiate his title and also any evidence to prove that the said Anvardeen has committed fraud. On receipt of the said fresh application, the respondents shall issue notice to the petitioner and the said Anvardeen, grant them personal hearing. Based on the documents and submissions of the petitioner and the said Anvardeen, the respondents shall consider and pass orders, within a period of 8 weeks from the date of receipt of a copy of the order.



W.P.(MD)No.18642 of 2020

WEB COPY

6. With these directions and observations, this Writ Petition is allowed. No Costs. Consequently, connected miscellaneous petition is allowed.

Index : Yes / No
Internet : Yes
ksa

07.09.2023

To

1. Chairman cum Managing Director,
TamilNadu Generation and Distribution Corporation,
10th Floor, NPKRR Maligai,
144, Anna Salai,
Chennai-600002.
2. Superintending Engineer - Ramnad,
Tamilnadu Generation and Distribution Corporation,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram - 623503.
3. Executive Engineer (Distribution) - Ramnad,
Tamilnadu Generation and Distribution Corporation,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram - 623503.
4. Assistant Engineer,



W.P.(MD)No.18642 of 2020

WEB COPY

Tamilnadu Generation and Distribution Corporation,
12/92-A,
Panaikulam - 623522.



WEB COPY



W.P.(MD)No.18642 of 2020

S.SRIMATHY. J

ksa

**Order made in
W.P.(MD)No. 18642 of 2020**

07.09.2023