



W.P(MD)No.5650 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2023

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.5650 of 2017

P.Vincent Premkumar

Petitioner

Vs.

**1.The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
(TANGEDCO), Operation and Maintenance,
Thiruverambur, Trichy.**

**2.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Operation and Maintenance,
Thiruverambur, Trichy.**

3.P.Selvakumar

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents No.1 and 2 herein to transfer the electricity service connection bearing No.232-029-66, of the petitioner's house property in Door No.2/266, situated at Dohar Village, Thiruvayyar Taluk, Thanjavur District in the name of the petitioner on the basis



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of his representation dated 01.11.2016 within the time stipulated by this Court.

For Petitioner :Mr.J.Lawrance
For R1 & R2 :Mr.S.Deenadhayalan
Standing Counsel
For R3 :No appearance

ORDER

The petitioner has submitted a representation for transfer of electricity service connection, which stood in the name of the third respondent in Door No.2/266, situated at Dohar Village, Thiruvayyar Taluk, Thanjavur District by considering his representation dated 01.11.2016.

2.The learned counsel appearing for the petitioner submits that the property in S.No.243/1 measuring to an extent of 0.01.5 ares – 1615 ½ sq.feet situated at Dohur Village, Thiruvayyar Taluk, Thanjavur District belongs to the petitioner's father, namely Pitchai and an electricity service connection No.232-029-66 was provided in the above property. The petitioner's father has gifted the above property to the petitioner by way of a gift deed No.399 of



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2009, dated 15.05.2009 and since then, the petitioner is in absolute possession and enjoyment of the said property, wherein, the petitioner has constructed a house, which bears Door.No.2/266. According to the learned counsel, all the revenue records have been mutated in the name of the petitioner. When the petitioner approached the respondent for transfer of electricity service connection, he came to know that the above service connection stands in the name of the third respondent, who is the son of the petitioner's father through his second wife. Therefore, the petitioner has submitted a representation for change of service connection and the respondent has not considered.

3.The grievance of the petitioner is that without verifying the revenue records with regard to title over the subject property, the respondent Board has transferred the electricity service connection in the name of the third respondent. Hence, a suitable direction may be issued to the respondent Board.



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4.Considering the limited prayer sought for by the petitioner, this writ petition is allowed with a direction to the respondent to consider the representation of the petitioner, after ascertaining the revenue records of the subject property and after providing an opportunity to the third respondent and pass necessary orders on his representation dated 01.11.2016 within a period of six weeks from the date of receipt of a copy of this order. No costs.

07.06.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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To

1.The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
(TANGEDCO), Operation and Maintenance,
Thiruverambur, Trichy.

2.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Operation and Maintenance,
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B.PUGALENDHI, J

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