



W.P. No.3142 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.3142 of 2022

P. Devaraj

... Petitioner

Vs

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Palladam Electricity Distribution circle,
Palladam,
Tiruppur District.

2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Palladam Electricity Distribution Circle,
Palladam,
Tiruppur District.

3. The Assistant Executive Engineer (Rural),
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Palladam Electricity Distribution circle,
Palladam,
Tiruppur District.



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4. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Operation and Maintenance / Jallipatti,
Sulur Taluk,
Coimbatore District.

5. P Myilsamy

6. Myilathal

7. M. Subramanian *

... Respondents

* Respondents 6 and 7 are impleaded
by this Court, vide order, dt. 30.09.2024
in W.M.P. No.29271 of 2024

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 3 and 4 to make the temporary electricity service connection of petitioner bearing No.232-002-1770 as permanent one and to shift/carry out the necessary repair works of pole situated at his land comprised in Survey Number :125/1, Re Survey Number 125/1A1, situated at Jallipatti Village, Coimbatore District by considering the petitioner representation dated 18.9.2020, 15.12.2021.

For petitioner	: Mr.K. Myilsamy
For respondents	: Mr.L. Jaivenkatesh for R1 to R4 Mr.V. Anandhamurthy for Impleaded respondents R5 - Died



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ORDER

This writ petition has been filed for Mandamus seeking for a direction to the respondents 3 and 4 to make the temporary electricity service connection of petitioner bearing No.232-002-1770 as permanent one and to shift/carry out the necessary repair works of pole situated at his land comprised in Survey Number :125/1, Re Survey Number 125/1A1, situated at Jallipatti Village, Coimbatore District by considering the petitioner representation dated 18.9.2020, 15.12.2021.

2. It is averred that the petitioner along with his mother are the absolute owner of the subject matter of property viz., S.F. No.125, Jallipatti, Sulur (described in the affidavit filed in support of this writ petition). It is further stated that the petitioner made representation before the respondents for converting the electricity line into temporary one for the purpose of carrying out construction activities, as his house was in dilapidated condition. The 5th respondent is the adjacent land owner, who made unnecessary claims before the respondents. But the said representation was not considered by the respondents in a proper manner. Now the



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construction work was completed and therefore, the petitioner submitted an application before the respondents for converting the said electricity line into permanent one and also for shifting of police, which has not evoked any response. Therefore, the present writ petition has been filed.

3. Learned counsel for the petitioner submitted that during the pendency of this writ petition, the 5th respondent died. Also, he submitted that it would suffice, if this Court issues direction to the respondents to consider the representations submitted by the petitioner on 18.09.2020 and 15.12.2021 respectively, within a time frame.

4. Mr.L. Jaivenkatesh, learned Standing counsel appearing for the respondents 1 to 4 has no objection to such a direction being issued, within a time frame to be stipulated by this Court.

5. In view of the fair stand taken by the learned counsel on either side, this Court without going into the merits of the case, issues a direction to the 4th respondent to consider the petitioner's representations, dated 18.09.2020 and 15.12.2021, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the newly impleaded respondents,



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within a period of four weeks from the date of receipt of a copy of this

order. No costs.

30.09.2024

(2/2)

Note : Registry is directed to issue order copy
after making necessary amendments

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

vsi2

To

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Palladam Electricity Distribution circle,
Palladam,
Tiruppur District.

2. The Executive Engineer,
Tamil Nadu Generation and Distribution
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Palladam Electricity Distribution Circle,
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3. The Assistant Executive Engineer (Rural),
Tamil Nadu Generation and Distribution
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M.DHANDAPANI, J.

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