



W.P.(MD)No.15498 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 14.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.15498 of 2024

Jothi

... Petitioner

Vs.

- 1.The Superintendent of Engineer,
O/o. Ramanathapuram Electricity Distribution Circle,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.
- 2.The Executive Engineer/Distribution,
O/o. Ramanathapuram Electricity Distribution Circle,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.
- 3.The Assistant Executive Engineer,
O/o. Ramnathapuram -Tamil Nadu Electricity Board &
Electricity Distribution Circle,
Near RTO Office,
Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board &
Electricity Distribution Circle,
Thirupalaikudi Road,
Devipattinam,
Ramanathapuram.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 4th respondent herein to provide electricity connection to petitioner house constructed on the land in Survey No.325/1A to an extent of 2180 Sq ft situated at Devipattinam Village, Ramanathapuram Taluk, Ramanathapuram District, by scrutinizing petitioner's application on 27.06.2024, by considering petitioner's representation dated 01.07.2024, in accordance with law.

For Petitioner : Ms.Gopika
For Mr.D.Balamurugapandi
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, to direct the 4th respondent herein to provide electricity connection to petitioner house constructed on the land in Survey No.325/1A to an extent of 2180 Sq ft situated at Devipattinam Village, Ramanathapuram Taluk, Ramanathapuram District, by scrutinizing petitioner's application on 27.06.2024, by considering petitioner's representation dated 01.07.2024, in accordance with law.”

2.The learned counsel appearing for the petitioner submitted that the petitioner's mother-in-law Kaliasammal had purchased the property in Survey No.325/1A of Devipattinam Village, Ramanathapuram District, to an extent of 2180 sq. ft. on 29.03.2006. Thereafter, she has put up a house therein. For which, she made an application before the fourth



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respondent to obtain EB connection. In the meanwhile, she passed away on 16.10.2021. Following which, her husband also passed away while working abroad on 30.04.2024. They are survived by legal heirs, namely, Viswanathan and Senthilkumar, among which, one Senthilkumar is the husband of the petitioner. Since both of them are working abroad, the petitioner made an application, seeking electricity connection with the 4th respondent. However, the said application is kept pending. Hence, the Writ Petition came to be filed.

3.The learned Standing Counsel appearing for the respondents on instructions would submit that the application would be considered in accordance with law.

4.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents and carefully perused the entire materials available on record.

5.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence,



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this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6.In view of the same, this Court hereby direct the 4th respondent to consider the application made by the petitioner on 27.06.2024 and dispose off the same on the basis of the representation, dated 01.07.2024 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of copy of this order.

7.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

14.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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L.VICTORIA GOWRI, J.

Mrn

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