



W.P.(MD)No.5663 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5663 of 2025

M.Ramalingam

... Petitioner

-VS-

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
(TANGEDCO)
Represented by the Superintending Engineer,
Pudukkottai Electricity Distribution Circle,
No.30, Near Old Bus Stand,
Pudukkottai – 622 001.

2.The Executive Engineer,
TANGEDCO,
Pudukkottai Electricity Distribution Circle,
Pudukkottai District.

3.The Assistant Executive Officer,
TANGEDCO,
Pudukkottai Electricity Distribution Circle,
Pudukkottai District.

4.Bhuvanesvari

5.Amutha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to terminate the



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permanent electricity connection No.06113009293 in Survey Nos.6101/6 and 6102/3 and 9A Nattam Village, Thirukokanam Taluk, Block No.92, Pudukkottai Taluk, Pudukkottai District, on the basis of the representation given by the petitioner, dated 13.09.2024, within the time stipulated by this Court.

For Petitioner : Mr.S.Mohammed Kasim
For R1 to R3 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to terminate the permanent electricity service connection No.06113009293 in Survey Nos.6101/6 and 6102/3 and 9A Nattam Village, Thirukokanam Taluk, Block No.92, Pudukkottai Taluk, Pudukkottai District, on the basis of the representation given by the petitioner, dated 13.09.2024.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the respondents 4 and 5, notice to the respondents 4 and 5 is hereby dispensed with.



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4. The petitioner claims that the respondents 4 and 5 have unlawfully encroached upon the subject lands. Despite the petitioner's objections, the encroachments have not been removed. Furthermore, the respondents 4 and 5 are allegedly involved in a conspiracy to illegally sell the lands. Despite filing multiple complaints and petitions, no coercive action has been taken to address the issue. The petitioner also submitted a representation to the respondents 1 to 3, dated 13.09.2024, requesting the termination of the electricity service connection to the subject lands. Since no action has been taken, the petitioner has now filed the present Writ Petition.

4. Heard both sides.

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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under



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Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents 1 to 3 herein to consider the petitioner's representation dated 13.09.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the respondents 4 and 5 as well as all other persons, who may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents 1 to 3 to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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