



W.P.(MD)No.8691 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8691 of 2025

S.Krishnasamy

: Petitioner

Vs.

1. The Superintending Engineer,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
Meenakshinaickenpatti,
Dindigul West Taluk,
Dindigul District.

2. The Assistant Divisional Engineer,
Tamilnadu Generation and
Distribution Corporation Limited
(TANGEDCO),
Dindigul West Taluk,
Dindigul District.

3. The Assistant Engineer,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
Dindigul West Taluk,
Dindigul District.

4. Pandi @ Palpandi
5. P.Sakthivel



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WEB COPY 6. P.Ranganayaki

7. P.Subramanian

8. S.Muniappan : Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents No.1 to 3 herein to shift the petitioners Electricity Service Connection in S.C.No. 168 comprised in S.No. 797/9 and to the Well situated in his land comprised in Survey no. 795/4 situated at Ramagoundanpatti, Gurunathanayakanoor village, Dindigul West Taluk, Dindigul district by considering his representation dated 20.09.2024 within the time stipulated by this Hon'ble Court.

For Petitioners : Mr. J.Lawrance

For Respondents : Mr.S.Deenadhayalan

Standing Counsel for R1 to R3

ORDER

This Writ Petition has been filed for a direction to the respondents 1 to 3 to relocate the petitioner's Electricity Service Connection from S.C. No. 168 in S. No. 797/9 to the well situated on his land in Survey No. 795/4, located at Ramagoundanpatti, Gurunathanayakanoor village, Dindigul West Taluk, Dindigul District, by considering his representation dated 20.09.2024.



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2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 to 8 is dispensed with.

3. The petitioner's case is that he dug a well on his land and obtained electricity connections from the third respondent in S.C.Nos. 168 and 197 in respect of lands in Survey Nos.797/6 and 797/8, respectively, for irrigation purposes. The grievance of the petitioner is that when he applied to shift the service connection from S.C.No.167 to his another land in Survey No.795/4 to operate the well and borewell, the respondents 1 to 3 did not consider his request citing oral objections from the respondents 4 to 6. In this regard, the petitioner submitted a representation on 20.09.2024 requesting the respondents 1 to 3 to shift the service connection asserting that the respondents 4 to 6 have no right over the matter. However, since no action has been taken, the petitioner has now filed the present Writ Petition.

4. Heard both sides.



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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 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 third respondent to consider the petitioner's representation dated 20.09.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of six weeks 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 third respondent to consider the same on its own merits.



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

01.04.2025

Index : Yes / No

Internet : Yes / No

PKN

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VIVEK KUMAR SINGH, J.

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