



W.P.(MD)No.12208 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12208 of 2025

K.Azhaguraja

: Petitioner

Vs.

1. The Chairman and Managing Director,
TANGEDCO, Anna Salai,
Chennai 600 002.

2. The Chief Engineer (Distribution),
TANGEDCO, Madurai.

3. The Superintending Engineer,
TANGEDCO, K.Pudur,
Madurai.

4. The Divisional Engineer,
TANGEDCO, Usilampatti,
Madurai.

5. K.Sasikumar

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent herein to consider and dispose of the representation of the petitioner dated 12.02.2025 to forthwith disconnect the electricity service



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connection SC No.179-005-1015 in Survey No.113/10 Eravarpatti Village, Uthappa Naickanur Division, Usilampatti Taluk, Madurai District, and to initiate criminal prosecution and recovery of penal charges under the Indian Electricity Act.

For Petitioners : Mr.K.Appadurai

For Respondents : Mr.S.Deenadhayalan

Standing Counsel for R1 to R4

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider and dispose of the petitioner's representation dated 12.02.2025, by forthwith disconnecting the electricity service connection bearing SC No.179-005-1015, located in Survey No.113/10, Eravarpatti Village, Uthappa Naickanur Division, Usilampatti Taluk, Madurai District, and to initiate criminal prosecution and recovery of penal charges under the provisions of the Indian Electricity Act.

2. Heard the learned counsel for the parties. 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 fifth respondent is dispensed with.



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3. Alleging that the fifth respondent obtained an electricity service connection on the petitioner's land through misrepresentation and by furnishing a fraudulent patta, the petitioner submitted a detailed representation to the first respondent, requesting disconnection of the said service connection. However, as no action has been taken, the petitioner has now approached this Court by filing the present Writ Petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to consider the representation of the petitioner dated 12.02.2025 and pass appropriate orders, within a time frame that may be stipulated by this court.

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



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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 first respondent to consider the petitioner's representation dated 12.02.2025, 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 first respondent 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.

28.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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