



W.P.(MD)No.12742 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12742 of 2025

Housing Board House Owners
Welfare Association
Rep. by its Secretary
S.Nalarajan

: Petitioner

Vs.

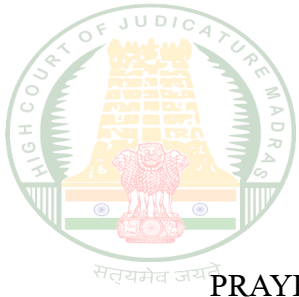
1. The District Collector,
Sivagangai,
Sivagangai District.

2. The Commissioner,
Karaikudi City Municipal Corporation,
Karaikudi,
Sivagangai District.

3. The Assistant Engineer,
TANGEDCO,
Town North Karaikudi,
Kalanivasal,
Karaikudi,
Sivagangai District.

4. The Special Officer,
Sangarapuram Panchayat,
Sakkottai Union,
Karaikudi Taluk,
Sivagangai District.

: Respondents



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PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to consider the petitioners representation dated 26.02.2025 for issuance of NOC for transfer of electricity service connection nos. 401018157 and 401018158 in the name of the petitioners association and consequently to direct the 3rd respondent to transfer the name of the electricity connection in the name of the petitioners association forthwith.

For Petitioners : Mr. K.Suresh Kumar

For Respondents : Mr.C.Venkatesh Kumar

Spl. Government Pleader
for R1

Mr.E.P.Venkateswar for R2

Mr.S.P.Maharajan for R4

Mr.S.Deenadhayalan for R3

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 26.02.2025 for issuance of NOC for transfer of electricity service connection Nos. 401018157 and 401018158 in the name of the petitioner's association and consequently to direct the third respondent to transfer the name of the electricity connection in the name of the petitioner's association forthwith.



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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.

3. The petitioner claims to be the Secretary of the Housing Board House Owners Welfare Association. The petitioner asserts that by proceedings dated 22.06.2000, the Executive Engineer of the Housing Board Section, Ramanathapuram, handed over the maintenance of the water supply to the Housing Board. Following this, the motor room was also handed over to the petitioner's Association on 01.02.2001 and the electricity service connection Nos.401018157 and 401018158 were transferred to the name of the Association. However, the first respondent transferred the maintenance of the water supply from the petitioner's Association to Sankarapuram Panchayat and subsequently, the third respondent transferred the electricity service connection to the fourth respondent. Despite this, the petitioner's Association approached the concerned authority to restore the maintenance of the water supply to the petitioner's Association. In response, the fourth respondent passed a resolution and by proceedings dated 09.05.2022, sent a recommendation



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to the Assistant Director of Panchayat, Sivagangai District.

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4. The petitioner's grievance is that the third respondent has orally informed them that they must obtain an 'NOC' from the second respondent to transfer the electricity connection in favor of the petitioner's Association. Aggrieved by this, the petitioner submitted a representation dated 26.02.2025 to the second respondent, requesting the necessary 'NOC' for transferring the electricity connection to the petitioner's Association. As no action has been taken on the representation, the petitioner has now filed the present writ petition.

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.



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6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 26.02.2025, 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 four 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 second respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

29.04.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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