

S.Sakthivel, Vs. the Assistant Engineer and anr.

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Court : Chennai

Decided On : Apr-20-2012

Judge : R.Sudhakar, J.

Acts : Constitution Of India - Article 226

Appeal No. : Writ Petition No.9507 of 2012 and M.P.No.1 of 2012

Appellant : S.Sakthivel,

Respondent : The Assistant Engineer and anr.

Advocate for Def. : Mr.P.Gunaraj, Adv.

Advocate for Pet/Ap. : Mr.O.M.Sai Ram, Adv.

Judgement :

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to provide electricity connection to petitioner's shop portion at "SENTHIL TRADERS" No.75, Kundrathur Main Road, Opposite to Parimalam Theatre, Kundrathur, Chennai-600 069.

R.SUDHAKAR, J.

ORDER

1. Writ Petition is filed praying to issue a Writ of Mandamus, directing the first respondent to provide electricity connection to petitioner's shop portion at "SENTHIL TRADERS" No.75, Kundrathur Main Road, Opposite to Parimalam Theatre, Kundrathur, and Chennai-600069.

2. Mr.P.Gunaraj, learned counsel takes notice on behalf of the first respondent. In view of the nature of order to be passed in this matter, the notice to the second respondent is dispensed with. By consent, the writ petition is taken up for final disposal.

3. Petitioner seeks commercial electricity service connection based on copy of rental agreement and has made a representation to the first respondent on 27.3.2012. Since no action has been taken, the writ petition has been filed for a mandamus as above.

4. Mr.P.Gunaraj, learned counsel for the first respondent states that no proper application has been filed and if proper application is filed before the first respondent, he will consider the claim of the petitioner.

5. In view of the submission made by the learned counsel for the first respondent, the petitioner is directed to approach the first respondent with proper application. As and when the application is filed, the first respondent shall consider the same expeditiously after taking note of the consent or objection of the second respondent said to be the land owner. The authorities shall proceed in the matter by following the principles of natural justice so as to avoid unnecessary litigation.

6. The Writ Petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

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