

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date:- 13-02-2015

CORAM

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.A.No.122 of 2015

G. Padaleeswaran ...3rd Respondent/Appellant

Vs.

1. R. Venkatesan ...Petitioner/1st Respondent

2. The Superintending Engineer (Urban)
Tamil Nadu Electricity Board
Vridhachalam
Cuddalore District

3. The Assistant Engineer (Urban)
Tamil Nadu Electricity Board
Kandiankuppam
Vridhachalam
Cuddalore District. ...Respondents 1 & 2/Respondents 2 & 3

Writ appeal preferred under Clause 15 of the Letters Patent against the order dated 26.11.2007 made in W.P. No.35737 of 2007.

W.P.No.35737 of 2007:

Writ petition filed under Article 226 of the Constitution of India, praying the court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 04.08.2007 in dt 4.8.07 in க.எண்.உமிவா/அ/க.கு/கோ.கூட்டு/அ.எண்/07 நாள் 04.08.2007 of the second respondent herein and quash the same and consequently direct the respondents 1 and 2 to forthwith grant electricity connection to the petitioners premises.

For appellant : Mr. D. Pradeep Kumar
for M/s.T. Dhanya Kumar

For respondents : Mrs. AL. Gandhimathi

JUDGMENT

(Judgment of the Court is delivered by SATISH K. AGNIHOTRI, J.)

The instant intra-court appeal arises from the order dated 26.11.2007 made in W.P. No.35737 of 2007.

2. The first respondent herein, who was the writ petitioner moved the Writ Court under Article 226 of the Constitution of India seeking a direction to the respondents to grant electricity connection to his premises at door No.114-A, Junction Road, Vriddhachalam. The appellant was impleaded in the writ petition as the third respondent.

3. After hearing all the parties, the learned Single Judge set aside the order dated 04-08-2007 of the third respondent, rejecting the application of the first respondent to grant connection and directed the second and third respondents to take back the application of the first respondent/writ petitioner therein and pass orders subject to the conditions enumerated under Section 27(4) of the Tamil Nadu Electricity Distribution Code, 2004.

4. The third respondent in the writ petition had preferred the instant appeal in January 2008. Thereafter, no step was taken by the appellant to get the appeal numbered and placed before the Court. After about seven years, the instant appeal was numbered in 2015 as W.A.No.122 of 2015. In such a long time, the order must have been complied with and even otherwise, grant of electricity connection does not create any right in favour of any party, in respect of title, ownership, etc.

5. Thus, in the facts and circumstances of the case, we are not inclined to interfere with the order of the Writ Court, at this stage.

6. The writ appeal is dismissed, accordingly. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

glp

To

1. The Superintending Engineer (Urban)
Tamil Nadu Electricity Board
Vridhachalam
Cuddalore District
2. The Assistant Engineer (Urban)
Tamil Nadu Electricity Board
Kandiankuppam
Vridhachalam
Cuddalore District

1 CC to M/s.T. Dhanya Kumar, Advocate SR.No. 8038

W.A.No.122 of 2015

AD (CO)
PSI (02.03.2015)

सत्यमेव जयते

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