

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2015

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.20739 of 2015

- 1) Palaniammal
- 2) Rani
- 3) Anandaraj
- 4) Karthikeyan
- 5) Amavasai
- 6) Kuppayee
- 7) Ayyakannu
- 8) Ezhumalai
- 9) Selvam
- 10) Yasodha
- 11) Kaasiammal
- 12) Latha
- 13) Kongunaatal
- 14) Manoharan
- 15) Poosali

...Petitioners

Vs.

1. The Assistant Engineer,
TNEB, Central Division,
Vellore.

2. V.Anthony

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the letter No.Ka.No.J.E./E & P./Centre/Ve/Ko.S/No.104/15-16, dated 23.06.2015 issued by the first respondent and to quash the same and to direct the first respondent to provide electricity connection to the petitioners' residences in D.No.37, Uthira Matha Kovil Street, Old Town, Vellore.

For Petitioner	:	Mr.S.S.Raghavan
For Respondent -1	:	Mr.M.Varunkumar
For Respondent - 2	:	Mr.C.Thillagaraj

O R D E R

Heard the learned counsel appearing on either side.

2. The petitioners have filed this Writ Petition, seeking to quash the proceedings of the first respondent, dated 23.06.2015, in and by which, the first respondent has rejected the request made by the petitioners for grant of electricity service connection to their premises on the ground that no documents have been produced by them to prove their ownership and possession. Whereas, the petitioners would state that they have got certain certificates in their possession, therefore, electricity service connection should be granted to their premises.

3. The first respondent/Assistant Engineer, TNEB, Vellore, has filed a counter affidavit, stating that the application given by the petitioners could not be processed, since there was an objection made by one Anthony, who is the second respondent herein, and the petitioners were directed to produce all the documents. Further, it is pointed out in the counter affidavit that there are three Second Appeals pending before this Court, viz., S.A.Nos.541, 542 and 2014 of 2004. The property, for which, electricity service connection sought for is also the property, which is the subject matter of civil litigation.

4. In the light of the above, the first respondent cannot be faulted for passing the impugned order. As no grounds are made out to interfere with the impugned order passed by the first respondent, this Writ Petition is dismissed. However, this order will not prevent the petitioners from appearing before the first respondent along with the documents, or otherwise, approach the Court in the pending civil proceedings for necessary relief.

5. With the above observations, the Writ Petition is dismissed. No costs.

sd/
ASSISTANT REGISTRAR (CCC)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sd/ds

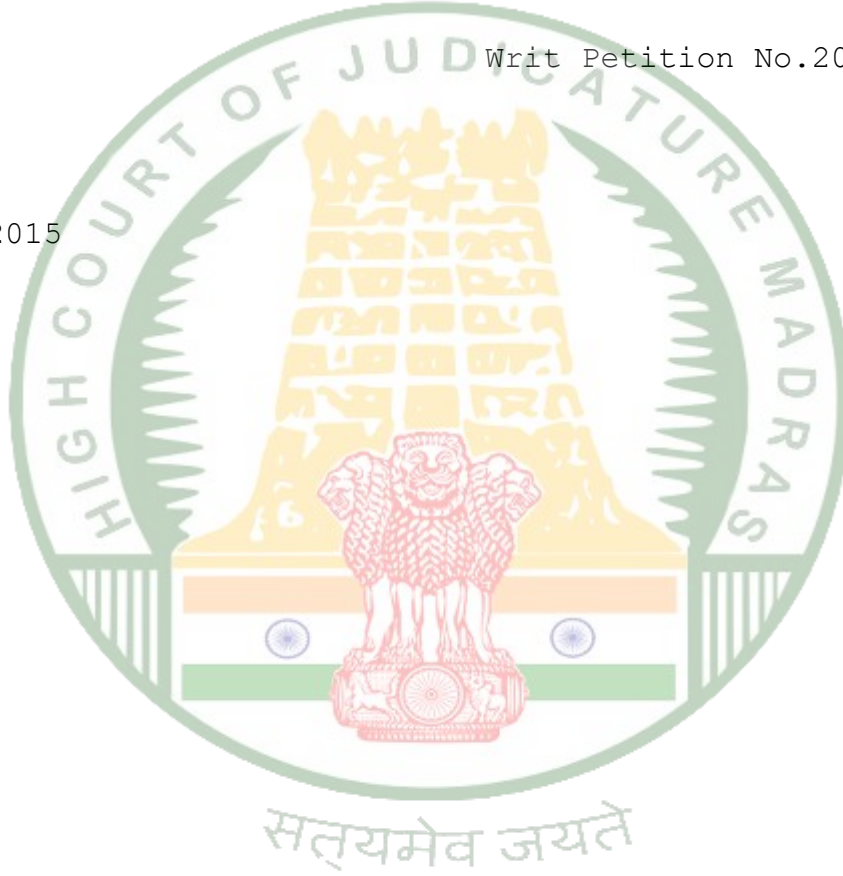
To

The Assistant Engineer,
TNEB, Central Division,
Vellore.

+1 CC to MR.C.Thillagaraj Advocate. SR.NO. 60596
+1 CC to MR.R.Subramanian Advocate. SR.NO. 60827
+1 CC to MR.M.Varunkumar Advocate. SR.NO. 60649

Writ Petition No.20739 of 2015

CO-VD
JD 26/11/2015



WEB COPY