

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.21957 of 2015

J.M.Hawwa Jumma Masjid
represented by its Secretary,
Mr.S.Peer Mohamed,
R40, 1st Main Rod, TNHB Colony,
Chennai - 600 042

...Petitioner

Vs

The Assistant Executive Engineer,
Tamil Nadu Electricity Board (TANGEDCO)
Valacheri, Chennai - 600 042

... Respondent

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to provide electricity connection to the petitioner masjid situated at Plot No.40 TNHB Colony Velacheri West Chennai - 600 042, within a stipulated time.

For Petitioner : Mr.A.E.Ravichandran

For Respondent : Mr.P.Gunaraj

For TNEB

Mr.V.Anandamoorthy

for TNHB

ORDER

The petitioner, being a Masjid represented by its Secretary has filed this Writ Petition to direct the respondent to provide electricity connection to their Masjid situated at Plot No.40 TNHB Colony Velacheri West Chennai - 600 042, within a stipulated time.

2.The petitioner claims that they are in possession of the property purchased from one Tmt.J.M.H.Hasaranbi from the Tamilnadu Housing Board by virtue of allotment order dated 16.02.1999. The said allottee was required to pay monthly installment. However, there was a failure on part of her to pay monthly installment to the Tamil Nadu Housing Board, which led to cancellation of allotment on 04.10.2007. In the said property only the petitioner is alleged to be in possession and therefore, the Secretary of the said Masjid, seeks electricity connection.

3.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the electricity board.

4.It is evident that the petitioner is claiming right through Tmt.J.M.H.Hasaranbi, whose allotment of the said property was cancelled by Tamil Nadu Housing Board as early as on 04.10.2007. When the original allottee herself has lost right over the property, the person, claiming through her cannot have a right at all much less legal possession and therefore, electricity connection sought by the petitioner cannot be granted and hence this Writ Petition is dismissed. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ssd

To

The Assistant Executive Engineer,
Tamil Nadu Electricity Board (TANGEDCO)
Valacheri, Chennai - 600 042

+1 cc to Mr.V.Anandhamurthy, Advocate, sr.44635
+1 cc to Mr.Anand Venkatesh, Advocate, sr.44663
+1 cc to Mr.P.Gunaraj, Advocate, sr.44609

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