

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.27314 of 2015
and
M.P.No.1 of 2015

N.Palanisamy .. Petitioner

Vs.

1. The Divisional Engineer,
Tamil Nadu Electricity Board,
Gobichettipalayam.
2. Assistant Divisional Engineer,
Tamil Nadu Electricity Board,
Gobichettipalayam.
3. The Junior Engineer,
Tamil Nadu Electricity Board,
Athani (East), Athani,
Andhiyur Taluk.
4. K.S.Subramanian
5. K.S.Somanathan .. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 3 to disconnect the electricity service connection Nos.189 and 349 given to the respondents 4 and 5 in respect of the well in the land situate in R.S.No.42/1, Kallankattupudur, Keelvani Village, Andhiyur Taluk, Erode District by considering the petitioner's representation dated 07.05.2015.

For Petitioner .. Mr.P.Valliappan

For Respondents .. Mr.S.K.Rameshwar
for R1 to R3
Mr.N.Manokaran for R4 & R5

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

Seeking a direction to respondents 1 to 3 to disconnect the electricity service connection Nos.189 and 349 given to the respondents 4 and 5 in respect of the well in the land situate in R.S.No.42/1, Kallankattupudur, Keelvani Village, Andhiyur Taluk, Erode District, by considering his representation dated 7 May 2015, the petitioner has filed the present writ petition.

2.Heard the learned counsel appearing for the petitioner, learned Standing Counsel appearing for respondents 1 to 3 and the learned counsel appearing for respondents 4 and 5.

3.Assailing the order dated 16 April 2015 passed by the Tahsildar, Andhiyur, whereby it was held that the possession of the respondents 4 and 5 in Survey No.42/1 was unauthorised, an appeal has been preferred before the Revenue Divisional Officer, Gobichettipalayam. Pursuant thereto, the petitioner has made a representation dated 07 May 2015 to the first respondent to disconnect the electricity service connection. As we are informed by the learned standing counsel for the Tamil Nadu Electricity Board that the pending appeal will be considered and disposed of within a period of two weeks, we are not inclined to issue any direction to the respondents 1 to 3 to take cognizance of the representation and disconnect the electricity service connection. However, we make it clear that after the disposal of the appeal pending before the authorities, it is open to the respondents 1 to 3 herein to take consequential action.

4.With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.
mmi

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Divisional Engineer,
Tamil Nadu Electricity Board,
Gobichettipalayam.
2. The Assistant Divisional Engineer,
Tamil Nadu Electricity Board,
Gobichettipalayam.

3. The Junior Engineer,
Tamil Nadu Electricity Board,
Athani (East), Athani,
Andhiyur Taluk.

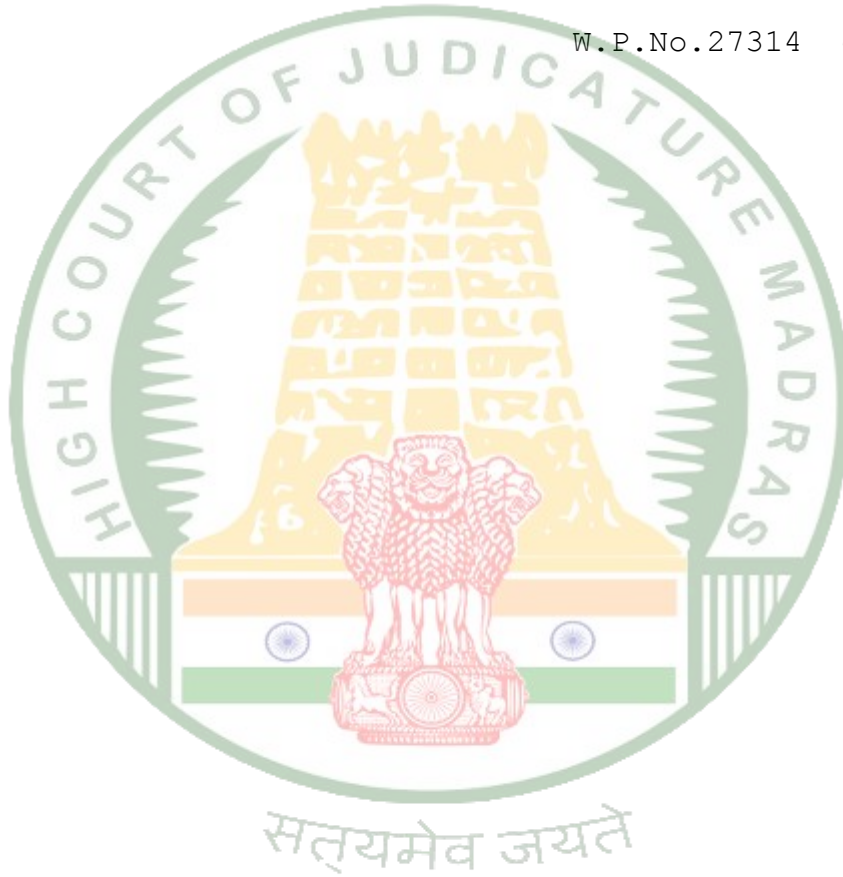
+ 1 cc to Mr.P.Valliappan, Advocate SR 65499

+ 1 cc to Mr.N.Manokaran, Advocate SR 65468

+ 1 cc to Mr.S.K.Raameshuwar, Advocate SR 65624

sk(co)
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W.P.No.27314 of 2015



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