

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16/12/2015

C O R A M

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.39376 of 2015

M. Ravikumar

...

Petitioner

Vs

1. The Chairman
Tamil Nadu Generation and
Distribution Corporation Limited
NPKRR Maaligai
144 Anna Salai
Chennai 600 002.

2. The Assistant Engineer
TANGEDCO (TNEB)
Porur
Chennai 600 116.

3. N.S.Vishwanthan

4. V. Rajalakshmi

....

Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to restore electricity service connections facility obtained in the name of the third respondent vide electricity connection Nos.324-004-160 and 324-044-162 supplied for the premises at Shop No.1, Ground floor, Door No.123 A, 40 feet road, 3rd Main Road, Lakshmi Nagar Extension, Porur, Chennai 600 116.

For petitioner

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Mr.D.Parvendhan

For respondents

...

Mr.P.Gunaraj

O R D E R

With the consent of the learned counsel appearing for the parties, this writ petition is taken up for final disposal.

2. Heard Mr.D.Parvendhan, learned counsel for the petitioner and Mr.P.Gunaraj for the respondents 1 and 2.

3. This writ petition has been filed praying to direct the second respondent to restore electricity service connections facility obtained in the name of the third respondent vide electricity connection Nos.324-004-160 and 324-044-162 supplied for the premises at Shop No.1, Ground floor, Door No.123 A, 40 feet road, 3rd Main Road, Lakshmi Nagar Extension, Porur, Chennai 600 116.

4. Since the writ petition is disposed of, without notice to the respondents 3 and 4, the merits of the allegations made by the petitioner as against the respondents 3 and 4 are not gone into. The petitioner claims to be running a small hotel in the premises in question, which is owned by the respondents 3 and 4. The petitioner is aggrieved by the disconnection of electricity supply. The petitioner alleges that the second respondent has disconnected the supply, at the instance of the respondents 3 and 4.

5. When the writ petition was heard for admission on 15/12/2015, this Court directed the learned counsel appearing for the respondents 1 and 2 to get instruction in the matter.

6. Mr.P.Gunaraj, learned Standing Counsel appearing for the respondents 1 and 2 submits that the electricity supply was disconnected on 3/12/2015, on account of heavy rains and floods and such disconnection was not done at the instance of the respondents 3 and 4. Further, it is submitted that the third respondent has given a letter stating that the building is in a dilapidated condition and therefore, electricity supply has to be disconnected.

7. If such a letter has been given by the third respondent, it goes without saying that the second respondent should cause an inspection of the premises to ascertain as to whether anybody is residing or carrying on any business. Without doing so, the second respondent cannot unilaterally act on the letter given by the third respondent.

8. In the light of the above, there will be a direction to the second respondent, to consider the petitioner's representation dated 28/11/2015, conduct an inspection of the premises, after issuing notice to the petitioner and the respondents 3 and 4 and take decision, on merits and in accordance with law, within a period of one week, from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Chairman
Tamil Nadu Generation and
Distribution Corporation Limited
NPKRR Maaligai
144 Anna Salai
Chennai 600 002.

2. The Assistant Engineer
TANGEDCO (TNEB)
Porur
Chennai 600 116.

1 CC to Mr.P.Gunaraj, Advocate SR.No.67531
1 CC to Mr.D.Parvandhen, Advocate, SR.No.67508

lrs (CO)
kra 17.12.2015

सत्यमेव जयते W.P.No.39376 of 2015

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