

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.25790 of 2013

N.Radhakrishnan

.. Petitioner

v.

1. The Chairman cum Managing Director,
Tamil Nadu Electricity Generation
and Distribution Corporation,
800, Anna Salai, Chennai - 600 002.

2. The Superintendent Engineer,
TANGEDCO, Cuddalore Circle,
Cuddalore - 607 001.

3. The executive Engineer,
TANGEDCO, Vriddhachalam
Vriddhachalam - 606 001

4. The Assistant Executive Engineer,
TANGEDCO, Pennadam,
Pennadam - 606 105.

5. The Assistant Engineer,
Pennadam West, Pennadam - 606 105.

6. Adhimoolam

7. Jaya

8. Chithrangi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 4th respondent, the Assistant Executive Engineer, TANGEDCO-Pennadam to terminate the service connection of the unlawful encroacher's Service connection Nos.82, 328 and 364 of Pennadam West.

For Petitioner

: Mr.S.Arun Kumar

For Respondent

: Mr.M.Varunkumar

Standing Counsel - for R1 to R5

No appearance - for R6 & R7

Mr.P.Thiagarajan - for R8

ORDER

The above writ petition has been filed by the petitioner to issue a Writ of Mandamus, directing the 4th respondent to terminate the service connection of the unlawful encroacher's Service connection Nos.82, 328 and 364 of Pennadam West.

2. Mr.N.Varun Kumar, learned Standing Counsel, filed counter affidavit on behalf of the respondents 1 to 5. In Paragraph Nos. 6 and 8 of the counter affidavit, it has been stated that the Executive Engineer /O & M, Cuddalore EDC, sought for an legal opinion before the Legal Advisor of TANGEDCO, Ltd., after placing all the related documents before him and it was opined that action may be taken to disconnect the said service connections as and when they are evicted from the premises. Further, they have stated that the eviction order dated 21.4.2013 and order dated 22.6.2013 passed by the Tahsildar is not yet implemented. Further, they have stated that if the respondents 6 to 8 are evicted, the disconnection will be made immediately.

3. The learned counsel appearing for the petitioner submitted that the averments stated in paragraph Nos. 6 and 8 of the counter affidavit may be recorded and the writ petition may be disposed of in view of the same.

4. Having regard to the submissions made by the learned counsel on either side, recording the averments stated in paragraph Nos. 6 and 8 of the counter affidavit filed by the respondents 1 to 5, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Chairman cum Managing Director,
Tamil Nadu Electricity Generation
and Distribution Corporation,
800, Anna Salai,
Chennai - 600 002.

2. The Superintendent Engineer,
TANGEDCO, Cuddalore Circle,
Cuddalore - 607 001.

3.The executive Engineer,
TANGEDCO,
Vriddhachalam
Vriddhachalam - 606 001

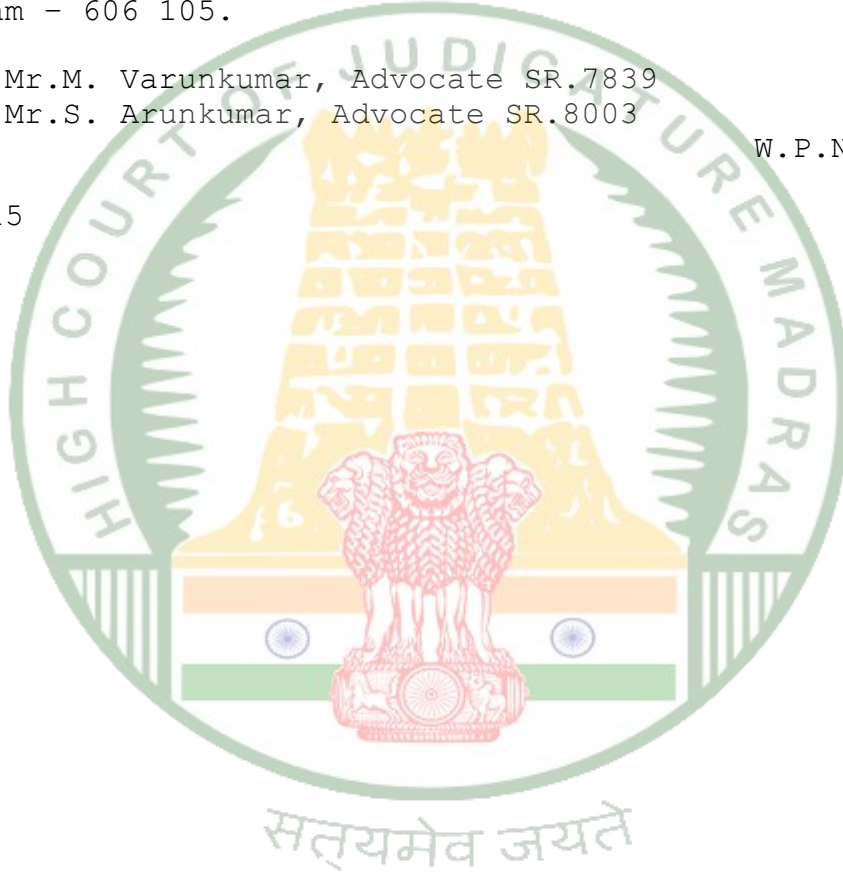
4.The Assistant Executive Engineer,
TANGEDCO, Pennadam,
Pennadam - 606 105.

5.The Assistant Engineer,
Pennadam West,
Pennadam - 606 105.

+ 1 cc to Mr.M. Varunkumar, Advocate SR.7839
+ 1 cc to Mr.S. Arunkumar, Advocate SR.8003

W.P.No.25790 of 2013

SV(CO)
Eu 26.02.15



WEB COPY