

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.04.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.18896 of 2013 &
M.P.No.1 of 2013

K.Vidyaprakash

.. Petitioner

vs

1. The Assistant Engineer
Tamil Nadu Electricity Board
Kanjapallli Distribution
Karuvalur Section
Coimbatore Region.

2. V.L.Krishnamoorthy

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the first respondent to issue the electricity to the petitioner's residence at New Green park, D.No.667 and 668, Rudriyapalayam Panchayat, Annur Taluk, by issuing a temporary electrical power connection.

For Petitionern: Mr.S.N.Amarnath

For Respondents : Mr.S.K.Rameshwar - R1

M/s.Muthumani Doraisamy - R2

O R D E R

Heard Mr.S.N.Amarnath, learned counsel for the petitioner, Mr.S.K.Rameshwar, learned Standing Counsel appearing on behalf of first respondent and M/s.Muthumani Doraisamy, learned counsel appearing on behalf of the second respondent and with the consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final disposal.

2.The petitioner is the son of the second respondent and he has come forward with this Writ Petition seeking for a direction upon the first respondent to grant electricity supply to his residence.

3.According to the petitioner, his father namely the second respondent is taking steps to sell the property. It is further stated that a Suit is also pending in O.S.No.1377 of 2013 before the Principal District Munsif Court,Coimbatore.

4.The first respondent has filed a counter affidavit inter alia stating that the service connection stands in the name of the second respondent and he approached the Board Office on 05.06.2013, stating that he desirous of carrying on certain alteration in the house and requested the service connection to be disconnected and dismantled. Accordingly, the officials of the Board inspected the house and thereafter the second respondent has remitted the requisite charges and the service connection has been disconnected and dismantled on 07.06.2013. It is further submitted that the service connection which was disconnected was with regard to Door No.726, which belongs to the second respondent and the disconnection was made on the request made by the second respondent. Further, it is stated that the service connections in respect of Door Nos.667 and 678 have not been disconnected.

5.In the light of the stand taken by the first respondent in the counter affidavit, the Writ Petition is disposed of giving liberty to the petitioner to file a suitable representation before the first respondent, if he has any further grievance, which shall be considered by the first respondent on merits and in accordance with law. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpa

To

1. The Assistant Engineer
Tamil Nadu Electricity Board
Kanjapallli Distribution
Karuvalur Section
Coimbatore Region.

+ 1 cc to Mr.S.K.Raameshuwar, Advocate SR.24409

+ 1 cc to Mr.Muthumani Douraisamy, Advocate SR.24069

SR(CO)

EU 15.05.2015

WP.No.18896 of 2013