

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.16196 of 2016 &
WMP No.13974 of 2016

S.Sundari

[PETITIONER]

Vs

1 The Area Engineer
Operation & Maintenance
Tamil Nadu Electricity Board
Gopi Electricity Distribution Circle
Bhavani-638 301.

2 S.Periyasamy [RESPONDENTS]

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records from the 1st respondent pertaining to the impugned order Ka.No. Ee.Me. Po/E.Ka.Pe/Me/ Pa/ So Dom/ No.039/2011 dated 25.05.2011 and consequently direct the 1st Respondent to provide electricity connection the petitioner's premises at 6/176A, OM Sakthi Nagar, Thalapaianur, Thettipalayam Post, Bhavani, Erode District.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.S.K.Rameshuwar
Standing Counsel for R1

ORDER

Heard Mr.P.Vijendran, learned counsel appearing for the petitioner and Mr.S.K.Rameshuwar, learned Standing Counsel appearing for the first respondent. By consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner is aggrieved by the action of the first respondent in rejecting her request for grant of electricity supply, based on the objection given by the second respondent.

3.According to the petitioner there was a decree passed by the Civil Court. There are subsequent proceedings wherein the petitioner is said to have filed a Review Petition before the trial Court.

4. If that the case, then the petitioner has to appear

before the first respondent and produce documents to show that as on date, there is no decree against her. However, without doing so, the petitioner has rushed to this Court.

5. In the light of the above, while declining to grant the relief sought for by the petitioner, there will be a direction to the petitioner to appear before the first respondent, produce necessary records to establish that there is no Civil Court decree against her as on date, and thereafter the first respondent shall consider the petitioner's representation, issue notice to the petitioner and the second respondent and pass appropriate orders within a period of three weeks from the date on which the petitioner appear before the first respondent.

The Writ Petition is disposed of with the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

r p a

To

The Area Engineer
Operation & Maintenance
Tamil Nadu Electricity Board
Gopi Electricity Distribution Circle
Bhavani-638 301.

+lcc to Mr.P. Vijendran, Advocate, S.R.No.26936
+lcc to Mr.S.K. Rameshuwar, Advocate, S.R.No.27807

AD(CO)
EU(04/05/2016)

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