

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.18263 and 24902 of 2015

I.Ali Mohammed Yunus ...Petitioner in W.P.No.18263 of 2015

S.Shan Basha ...Petitioner in W.P.No.29402 of 2015

Vs

1. The Assistant Executive Engineer,
Tamilnadu Electricity Board (O&M)
Managadu Division, Se.Mi.Pa Taluk
South/ TNEB Mangadu, Chennai-112
2. The Tamilnadu Electricity Board,
rep. By its Chairman,
Annasalai, Chennai - 2
3. The Tamilnadu Wakf Board,
rep. By the Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1 ...Respondents in both the petitions

Prayer : Writ Petitions have been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to grant power connection to the petitioners property at Nos.495 and 106, Syed Sadiq Nagar, Mangadu, Chennai - 122 respectively without insisting upon NOC by the Wakf Board.

For Petitioners :Mr.N.A.Nissar Ahmed

For Respondents :Mr.S.K.Rameshwar for R1 and R2

Mr.V.Lakshminarayanan for R3

C O M M O N O R D E R

Heard Mr.N.A.Nissar Ahmed, learned counsel appearing for the petitioners and Mr.S.K.Rameshwar, learned counsel appearing for the 1st and 2nd respondents and Mr.V.Lakshminarayanan, learned counsel for the 3rd respondent. With the consent of either side

the Writ Petitions themselves are taken up for final disposal at the admission stage.

2. The petitioners seek for the direction to issue a Writ of Mandamus directing the 1st respondent to grant power connection to the petitioners property at Nos.495 and 106, Syed Sadiq Nagar, Mangadu, Chennai - 122 respectively without insisting upon NOC by the Wakf Board.

3. Unless and until the petitioners prove that they are in lawful possession of the land, the question of directing the respondents to consider the application for electricity connection cannot be granted. Hence the Writ Petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Executive Engineer,
Tamilnadu Electricity Board (O&M)
Managadu Division, Se.Mi.Pa Taluk,
South/ TNEB Mangadu, Chennai-112.
2. The Chairman,
The Tamilnadu Electricity Board,
Annasalai, Chennai - 2.
- 3.The Chief Executive Officer,
The Tamilnadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1.

+1cc to M/S.N.A.Nissar Ahmed, Advocate, S.R.No.14898
+1cc to M/S.V.Raghavachari, Advocate, S.R.No.14882

W.P.Nos.18263 and 24902 of 2015

rsk(CO)
srg(21/03/2016)