

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.17739 of 2016

P.Dhakshnamurthy

... Petitioner

Vs

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Maraimalai Nagar,
Chengalpet Taluk,
Kanchipuram District.

2. The Assistant Engineer,
Operation and Maintenance,
Office of the Tamil Nadu Electricity Board,
Urappakkam, Chengalpet Taluk,
Kanchipuram District.

3. S.Vasantha Raj

... Respondents

Writ Petition filed to issue a Writ of Mandamus, directing the respondents 1 and 2 to dispose of the petitioner's representation dated 15.04.2016 to restore Service Connection No.095840031474 AE/O&M/UPM.

For Petitioner : Mr.C.Venkatesan

For Respondents : Mr.S.K.Rameshwar

O R D E R

The petitioner is a tenant in respect of the ground floor of the Flat No.214, Padmavathi Nagar, Urappakkam West, Chengalpet Taluk, Kanchipuram District under one R.Jayachandran and Dhamodharan. Subsequently, the 3rd respondent purchased the property on 27.03.2013. However, for the reasons best known to him, the 3rd respondent approached the 2nd respondent to surrender the electricity connection in respect of the building in which the petitioner is in occupation and the Service Connection No.095840031474 was disconnected by the 2nd respondent. Therefore, the petitioner is before this court,

after giving a representation to the respondents 1 and 2 on 15.04.2016 seeking restoration of the service connection.

2. Heard Mr.C.Venkatesan, learned Counsel appearing for the petitioner and Mr.S.K.Rameshwar, learned Counsel appearing for the respondents 1 and 2.

3. When the petitioner is in occupation of the premises as a lessee and if the 3rd respondent intends to vacate the petitioner, the only course open to him is to approach the Rent Control Court and he cannot resort to other methods, especially, using either the Electricity Board or the police.

4. In this case, the 3rd respondent approached the 2nd respondent and got the electricity connection disconnected. Therefore, when the matter was called yesterday, this Court directed the 2nd respondent to restore the Electricity Connection within 24 hours and to be present before this Court along with an affidavit.

5. When the matter is called today, the learned Counsel for the petitioner would submit that as per the order of this Court, the electricity was restored. The 2nd respondent, who is present before this Court, also made a statement before the Court that the electricity connection was restored. He has also filed an affidavit to that effect in which para 3 reads as follows:

'3. I submit that on 12.05.2016 the above Writ Petition came up before Hon'ble Court for restoration of service connection. I further submit that the Hon'ble High Court directed me to restore the service connection and the same was restored on the same day at 4.45 p.m.'

6. Though what has been done by the officials are perse illegal, taking into consideration the restoration of the electricity connection to the petitioner's premises within 24 hours, this Court is not inclined to take any further proceedings. As the electricity was already restored to the petitioner's premises in which the petitioner is in occupation, no further order is necessary in this Writ Petition.

7. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected

Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Maraimalai Nagar,
Chengalpet Taluk,
Kanchipuram District.
2. The Assistant Engineer,
Operation and Maintenance,
Office of the Tamil Nadu Electricity Board,
Urappakkam, Chengalpet Taluk,
Kanchipuram District.

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