

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.02.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.24086 of 2015

&

M.P.No.1 of 2015

1. Kalaivani

2.S.Senthamarai

...Petitioners

Vs.

1.The Superintending Engineer
Annanagar West, T.V.Nagar
T.N.E.B/West, Chennai-600 040

2.The Assistant Engineer
T.V.Nagar, T.N.E.B./West
Chennai-40

3.S.Rangasamy
R3 impleaded as per order dated
22.01.2016 in M.P.2/2015

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified mandamus to call for the records of the 2nd respondent in Ka.No.Vu.Po/Z/Thirunagar/Va.Aa/Ko.Kattu/Aa.No.19/15, dated 18.04.2015 as confirmed by the 1st respondent relating to his proceedings made in Ka.No.Nil/Se.Po/E Po/Aa.Nagar/AE.R46/Ko.158/2014 dated 05.08.2015 and quash the same as null and void and direct the 1st and 2nd respondent for the restoration of electricity connectin to the house property bearing Door No.305, Gandhi Main Road, T.V.Nagar, Thirumangalam and 2 shops attached to the said house property till finalization of the proceedings in S.A.No.1428/2008 considering the continued possession and enjoyment of the petitioners. (Prayer amended as per order of court dated 22.1.2016 made in M.P.No.3/2015)

For Petitioners

: Mr.A.Amal Raj

For Respondents

: Mr.P.R.Dhilipkumar for
TNEB for R1& 2

Mr.V.Anand for R3

O R D E R

Heard Mr.A.Amalraj, learned counsel for the petitioners and MR.P.R.Dhilip Kumar, learned counsel for the respondents 1 and 2 and Mr.V.Anand, learned counsel for the 3rd respondent.

2. Petitioners have filed this writ petition to quash the proceedings by the 2nd respondent dated 18.04.2015 as confirmed by the 1st respondent proceeding dated 05.08.2015 and to direct the respondents 1 and 2 for restoration of electricity connection to the house property bearing Door No.305, Gandhi main road, T.V.Nagar, Thirumangalam till the finalization of the proceedings in S.A.No.1428/2008.

3. Learned counsel for the petitioners submits that during the pendency of the writ petition, the 2nd respondent has already taken into consideration the petitioners application and since the 3rd respondent was objecting to the the grant of electricity supply, the 2nd respondent issued notice to the 3rd respondent calling for his objections and the 3rd respondent appears to have submitted a written objection, which is now pending consideration before the 2nd respondent.

4. In the light of the subsequent development, learned counsel for the petitioners submitted that appropriate direction may be issued to the 2nd respondent to finalize the matter at the earliest, since the petitioners are suffering without separate service connection.

5. Learned standing counsel appearing for the respondents 1 and 2 submits that reasonable time may be granted to the 2nd respondent to consider the matter.

6. In the light of the above, while holding that it is unnecessary to interfere with the impugned proceedings, in the light of subsequent developments, there will be a direction to the 2nd respondent to consider the petitioners representation/application for service connection taken out of the objection given by the 3rd respondent and pass appropriate orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Both the petitioners as well as the 3rd respondent are entitled to submit fresh representation to the 2nd respondent, if they so desire to do.

7. Writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Superintending Engineer
Annanagar West, T.V.Nagar
T.N.E.B/West, Chennai-600 040

2. The Assistant Engineer
T.V.Nagar, T.N.E.B./West
Chennai-40

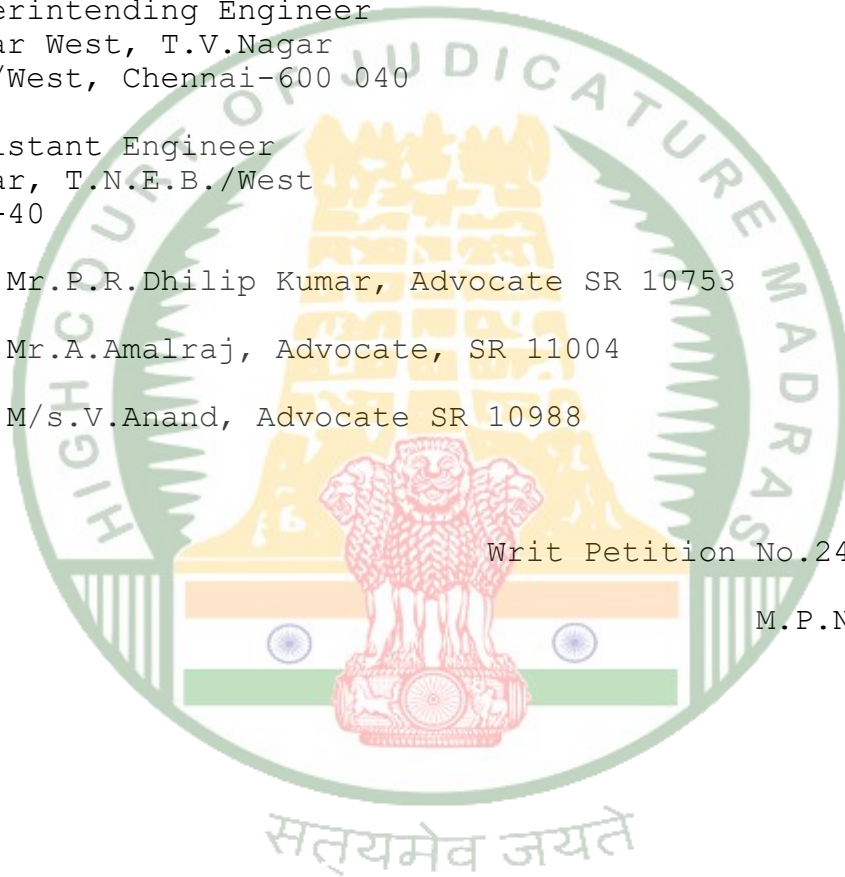
+ 1 cc to Mr.P.R.Dhilip Kumar, Advocate SR 10753

+ 1 cc to Mr.A.Amalraj, Advocate, SR 11004

+ 1 cc to M/s.V.Anand, Advocate SR 10988

msm(co)
prk4/3

Writ Petition No.24086 of 2015
&
M.P.No.1 of 2015



WEB COPY