

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10..08..2016

C O R A M

The Hon'ble Mr. SANJAY KISHAN KAUL, CHIEF JUSTICE
and

The Hon'ble Mrs. Justice R.MAHADEVAN

Writ Appeal No.253 of 2008

1. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Thanjavur Electricity Distribution Circle,
Thanjavur.

2.The Executive Engineer,
Tamil Nadu Electricity Board,
Thanjavur.

3.The Superintending Engineer,
Tamil Nadu Electricity Board,
Thanjavur.

... Appellants / Respondents

Versus

D.Samsudeen

... Respondent/Petitioner

Prayer : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 06.07.2006 made in W.P.No.15323 of 1998. This writ petition is filed under Article 226 of the constitution of India to issue a writ of mandamus directing the third respondent to conduct an enquiry for the alleged theft as per Terms and conditions of Supply of electricity in respect of service No.A733, Thanjavur Electricity Distribution Circle.

For Appellant : Mr.P.Gunaraj

For Respondents : No appearance

J U D G M E N T

(Judgment of the Court was delivered by the Honourable The Chief Justice)

Heard the learned counsel for the appellant.

in respect of the alleged theft of electricity by the respondent. The impugned order passed by the learned Single Judge dated 06.07.2006 only directs affording a reasonable opportunity to the respondent before passing a final order. This would hardly form subject matter of appeal before us and the most unfortunate part is that this issue is languishing for the last 8 years, during which time, there were defaults in taking service of notice and the writ appeal even came to be dismissed for non-prosecution and subsequently restored after condonation of delay.

3. The writ appeal is thus dismissed, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Thanjavur Electricity Distribution Circle,
Thanjavur.

2. The Executive Engineer,
Tamil Nadu Electricity Board,
Thanjavur.

3. The Superintending Engineer,
Tamil Nadu Electricity Board,
Thanjavur.

W.A. No.253 of 2008

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