

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2016

Coram

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.449 of 2011
and
M.P.No.1 of 2011

P.Sivan

...Petitioner

Vs.

1. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Vellore.
2. The Assistant Executive Engineer (O & M)
Tamil Nadu Electricity Board,
Walajapet, Vellore District.
3. The Junior Engineer,
Tamil Nadu Electricity Board,
Ammoor, Walajah, Vellore District.
4. Jayaraman
(R-4 impleaded as per order dt. 10.06.2011,
made in M.P.No.2 of 2011 of this W.P). ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for records of the second respondent in his letter No: 0261/AEE/O&M/Walaja/file.Spl/2010-11, dated 29.11.2010, and to quash the same and to direct the respondents to restore the electricity supply to S.C.No.274 with a load of 5 H.P. Kalpudur distribution installed at S.No.411/3B, Kalpudur, Kalmelakuppam Village, Walaja Taluk, Vellore District.

For Petitioner : Mr.G.Jeremiah

For Respondents 1 to 3 : Mr.M.Varun Kumar
Standing Counsel for TNEB

For Respondent -4 : No appearance

O R D E R

The petitioner has challenged the notice issued by the respondent-Board, calling upon him to produce documents to show that he is lawfully entitled to an agricultural electricity service connection, as an objection has been raised by the fourth respondent, who is none other than the brother of the petitioner.

2. During the course of arguments, the learned counsel appearing for the petitioner submitted that the petitioner will appear before the second respondent, and produce all the documents, and satisfy the second respondent that he is lawfully entitled to enjoy the service connection. Therefore, the learned counsel prayed that appropriate direction may be issued to the second respondent with regard to the petitioner's prayer.

3. Mr.M.Varun Kumar, the learned Standing Counsel for the respondent-Board, on instructions, submits that false documents were produced by the petitioner with regard to the sub division, and the District Revenue Officer has passed an order, canceling the illegal transaction and sub division. In any event, the second respondent will consider all these factors, if the petitioner produces the original documents.

4. Accordingly, the question of setting aside the impugned proceedings does not arise, and the Writ Petition is disposed of, by directing the petitioner to appear before the second respondent, and produce all the relevant documents in support of his claim to show that he is lawfully entitled to enjoy the electricity service connection, and, on receipt of the copies of the documents, the second respondent shall issue notice to the petitioner and the fourth respondent, and conduct an enquiry in the matter, and pass final orders within a period of eight weeks from the date on which the petitioner appears before him and produces the documents, in terms of the abovesaid direction.

5. In the result, the Writ Petition is disposed of, as stated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sd

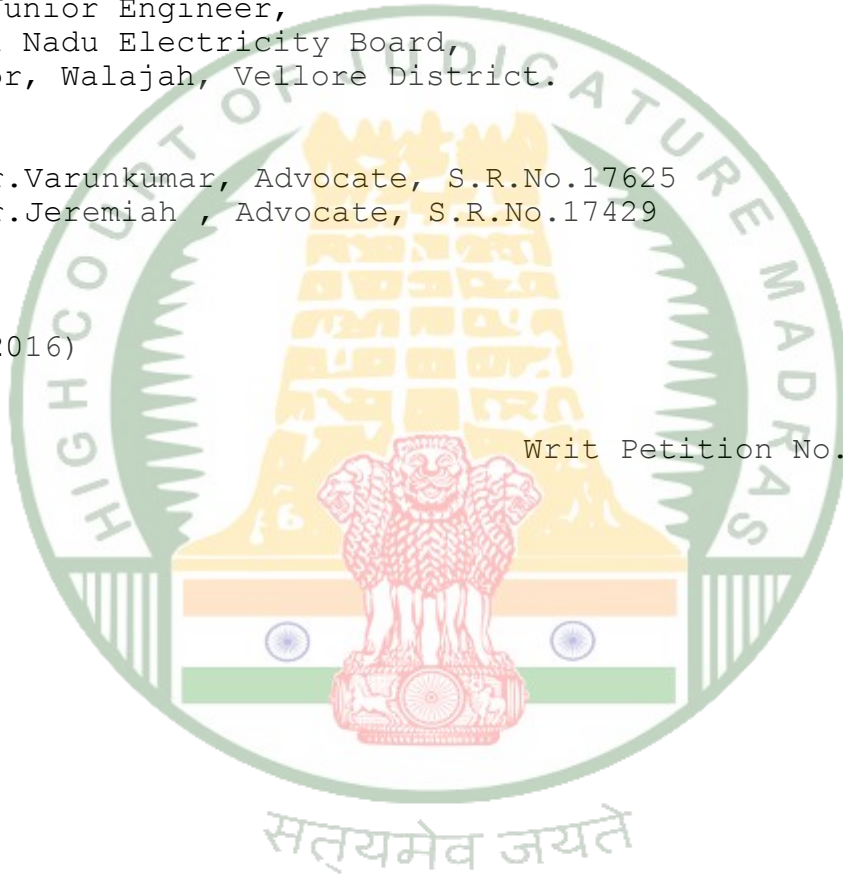
To

1. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Vellore.
2. The Assistant Executive Engineer (O & M)
Tamil Nadu Electricity Board,
Walajapet, Vellore District.
3. The Junior Engineer,
Tamil Nadu Electricity Board,
Ammoor, Walajah, Vellore District.

+1cc to Mr.Varunkumar, Advocate, S.R.No.17625
+1cc to Mr.Jeremiah , Advocate, S.R.No.17429

MG(CO)
EU(29/03/2016)

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