

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 17-03-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.18028 OF 2013

M.Raju

..Petitioner

-Vs-

1.The Superintending Engineer,
TANGEDCO,
Namakkal District,
Namakkal.

2.The Executive Engineer,
TANGEDCO,
Tiruchengode,
Namakkal District,
Namakkal.

3.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Elachipalayam,
Tiruchengode Taluk,
Namakkal District.

..Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, forbearing the respondents from disconnecting the electricity service connection in connection No.192-010-608 at Door No.4/28, Therku Thottam, Tiruchengode Taluk, Namakkal District, by considering the petitioner's representation, dated 13.03.2013.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.S.K.Rameshuwar

O R D E R

Petitioner seeks for issuance of a writ of mandamus, to forbear the respondents from disconnecting the electricity service connection No.192-010-608 at Door No.4/28, Therku Thottam, Tiruchengode Taluk, Namakkal District.

2. At the time when the Writ Petition was entertained, this Court granted an interim order on

03.07.2013, which has been in force till-date. Though respondents have been served, no counter affidavit has been filed.

3. When the petitioner has been granted electricity connection and he is in enjoyment of the same, the third respondent, cannot, arbitrarily, disconnect the same, even if there are certain complaints by third parties. Any action done or to be done by the third respondent should satisfy the tests of reasonableness and principles of natural justice. Therefore, even assuming that there are certain complaints, the third respondent cannot take any action adverse to the petitioner, without notice.

4. Writ Petition is allowed accordingly. No costs. Consequently, the connected M.P.No.1 of 2013 is closed.

dixit

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Superintending Engineer,
TANGEDCO,
Namakkal District,
Namakkal.

2.The Executive Engineer,
TANGEDCO,
Tiruchengode,
Namakkal District,
Namakkal.

3.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Elachipalayam,
Tiruchengode Taluk,
Namakkal District.

+ 1 cc to Mr.R.Jayaprakash, Advocate Sr 17255

+ 1 cc to Mr.S.K.Rameshuwar, Advocate Sr 17881

KR/29/3/16

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