

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition No.32831 of 2016

D.Sridhar

[Petitioner]

Vs

- 1 The Chairman
Tamil Nadu Generation and Distribution
Corporation Ltd. NPKRR Maaligai No.144
Anna Salai Chennai-600 002.
- 2 The Assistant Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Ltd. Guindy
Chennai District.
- 3 The Assistant Engineer
Tamil Nadu Generation and Distribution
Corporation Ltd. Guindy Chennai District.
- 4 B.Anjali [Respondents]

Prayer: Petitions have been filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the 3rd respondent to consider the petitioner representation dated 28.07.2016 and disposed the representation within the time frame manner.

For Petitioner : Mr.R.Venugopal

For Respondents : Mr.S.K.Rameshuwar (R1-3)
Mr.J.Thejesh (R4)

Mr.T.M.Pappiah, for Sub Inspector of Police,
Special Government Pleader JIII, Guindy Police Station.

O R D E R

The petitioner has come before this Court seeking a writ of mandamus directing the 3rd respondent to consider his representation dated 28.07.2016 seeking separate electricity connection to his portion of the property in No.7/3, Vivekanandar Street, Ambal Nagar, Ekkattuthangal, Chennai 32.

2. The 4th respondent is the petitioner's brother's wife and there is a dispute between them. The property originally belongs to the petitioner's mother. The electricity connection No.211;013;186 stood in the name of the petitioner's mother. The 4th respondent managed to get transfer of the electricity connection in her favour from the 2nd and 3rd respondents. Due to the dispute, the 4th respondent disconnected the electricity connection on 21.07.2016. Therefore, the petitioner has given a representation dated 28.07.2016 to the respondent Board seeking new electricity connection. Since no action has been taken, the petitioner has come before this Court.

3. Heard Mr.R.Venugopal, learned counsel for the petitioner, Mr.S.K.Rameshuwar, learned Standing Counsel appearing for respondents 1 to 3, Mr.J.Thejesh, learned counsel appearing for the 4th respondent and also Mr.T.M.Pappiah, learned Special Government Pleader for the Sub Inspector of Police, JIII Police Station.

4. It is submitted by Mr.T.M.Pappiah, learned Special Government Pleader, appearing on behalf of the Sub Inspector of Police, JIII Police Station that the 2nd and 3rd respondents are trying to give electricity connection to the petitioner, however, the same was obstructed by the 4th respondent and her counsel and therefore, a case has been registered. Taking into consideration the fact that the 4th respondent is the petitioner's brother's wife, this Court, directed the parties to appear before this Court to sort out the issue.

5. Since it was submitted by the 4th respondent that the 3rd respondent had closed the passage to have an ingress and egress into the property, an affidavit is sought to be filed by the petitioner stating that he will not obstruct the use of passage by the 4th respondent and similarly, the 4th respondent will not object getting electricity connection in the name of the petitioner.

6. As per the directions of this Court, both the parties have appeared before this Court today and they have filed affidavits. They have reiterated before this Court that they will not cause any trouble to each other.

7. In view of the submissions made by both the parties, the petitioner is directed to kept open the passage to be used by the 4th respondent and if for safety purpose, the passage is to be closed by lock and key, the 4th respondent also be given a key for her use. Similarly, the 4th respondent shall not object for giving electricity service connection to the petitioner independently.

8. Since the meter box has been fixed by respondents 1 to 3 in the petitioner's portion, the official respondents are directed to give connection within two days.

With the above observations, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

- 1 The Chairman
Tamil Nadu Generation and Distribution
Corporation Ltd. NPKRR Maaligai No.144
Anna Salai Chennai-600 002.
- 2 The Assistant Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Ltd. Guindy
Chennai District.
- 3 The Assistant Engineer
Tamil Nadu Generation and Distribution
Corporation Ltd. Guindy Chennai District.

Copy to:

The Sub Inspector of Police, III Guindy Police Station,
Chennai.

+1 cc to Mr.R.Venugopal, advocate, sr.57718.

rj (c0)
krd 22/11

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