

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.43981 of 2016

V.Ravishankar

.. Petitioner

Vs

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
800, Anna Salai, Chennai – 600 002.

2.The Assistant Engineer,
Tamil nadu Generation and Distribution
Corporation Limited,
M.R.C. Nagar, Chennai – 28.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the second respondent to restore the electricity connection immediately from the existing meter and to install a new meter separately in premises occupied by the petitioner in the first floor Old No.105, New No.4, Greeways Road, R.A.Puram, Chennai – 28.

For petitioner : Mrs.Geetaramaseshan

For Respondents : Mr.P.R.Dhilipkumar

ORDER

By way of filing this writ petition, the petitioner seeks a direction to the second respondent / the Assistant Engineer, Tamil Nadu Generation and Distribution Corporation Limited, Chennai, to restore the electricity connection immediately from the existing meter and to install a new meter separately in the first floor of his premises bearing Old No.105, New No.4, Greenways Road, R.A.Puram, Chennai – 28.

2. It is stated by the learned counsel for the petitioner that the petitioner's father Late Sri Dr.Vempati Chinna Satyam is the founder of M/s.Kuchipudi Art Academy. It is further stated that the petitioner recently had undergone kidney transplant surgery, but, the same also failed. Therefore, taking advantage of such health condition, the petitioner's brother and his wife tried to evict the petitioner and his mother Mrs.Swaraja Lakshmi from the said Academy premises using unlawful methods. Hence, he and his mother have filed a civil suit in O.S.No.5868 of 2015 seeking permanent injunction restraining the respondents therein from interfering with the peaceful possession and enjoyment of residential rights so as to conduct the dance classes in the suit

scheduled property. Thereafter, the learned trial Court has also granted an order of status-quo on 30.10.2013.

3. It is further stated that even after the status quo granted by the trial Court, the petitioner's brother, who is staying in the ground floor and first floor of the premises, has deliberately disconnected the water and electricity connection to the petitioner's portion of the premises in the first floor. Thereafter, though the petitioner has made several representations before the second respondent, the same went in vain.

4. Learned counsel appearing for the respondents, on taking instruction from the department, submitted that when the officials of the second respondent visited the petitioner's premises, the petitioner's brother and his family members prevented them from entering into their premises to inspect whether electricity connection has been disconnected or not.

5. Thus, considering the fact that the learned trial Court has already granted an order status quo on the suit filed by the petitioner seeking permanent injunction restraining the petitioner's brother from interfering with his peaceful

possession and enjoyment, and taking note of the fact that the petitioner's brother is preventing the officials of second respondent to enter into the said premise to restore the electricity connection and also taking note of the further fact that life saving medicines of the petitioner, who is a kidney failure patient, need to be preserved in the Refrigerator, this Court directs the second respondent to restore the electricity connection of the petitioner forthwith and if necessary, the said authority is advised to seek police protection from the nearby police station for completing such task. Liberty is also given to the petitioner to approach the Civil Court for any future relief as the suit is pending now.

6. With the above directions, the writ petition is disposed of. No Costs. WMP.No.37798 of 2016 is closed.

23.12.2016

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Index:yes/no

To

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T.RAJA, J.

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