

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.4576 of 2016

R.Gopal

.. Petitioner

Versus

1. The Assistant Engineer,
Tamilnadu Electricity Board, (TANGEDCO)
Kancheepuram, Kancheepuram District.

2. Kathar Avulia Janda Committee,
Rep. by its Secretary
A.Malik

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to provide electricity service connection to the petitioner's rental shop at No.243-B, Gandhi Road, Kancheepuram Town and District within the time as may be fixed by this Court.

For Petitioner : Mr.R.Veeramani

For Respondents : Mr.S.K.Rameshuwar
Standing Counsel for TANGEDCO

O R D E R

The petitioner has filed this writ petition to direct the 1st respondent to grant separate electricity connection in respect of the shop at Door No.243-B, Gandhi Road, Kancheepuram Town and District.

2. Admittedly, there is a dispute between the petitioner and the 2nd respondent and matters were pending before the Rent Controller / Principal District Munsif, Kanchipuram in RCOP No.22 of 2013, filed by the petitioner herein under Section 8 (5) of the Tamilnadu Buildings (Lease and Rent Control) Act. That apart, a suit has also been filed by the petitioner before the District Munsif Court, Kanchipuram in O.S.No.105 of 2002, against the 2nd respondent and has secured a decree of permanent injunction. With these facts, the petitioner has requested a

separate electricity connection in his name and he is willing to execute the necessary indemnity bond. Since his representation has not been considered for over three months, he is before this Court.

3. In the light of the above, without going into the merits of the allegations raised by the petitioner nor expressing any opinion on the rights of the 2nd respondent over the property in question, there will be a direction to the 1st respondent to consider the petitioner's representation dated 05.11.2015, after putting on notice the petitioner and the 2nd respondent and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of. No costs.
ars

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

The Assistant Engineer,
Tamilnadu Electricity Board, (TANGEDCO)
Kancheepuram, Kancheepuram District.

+ 1 cc to Mr.S.K.Rameshuwar, Advocate, SR 12127

+ 1 cc to Mr.R.Veeramani, Advocate, SR 12011

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