

IN THE HIGH COURT OF JUDICATURE AT MADRAS

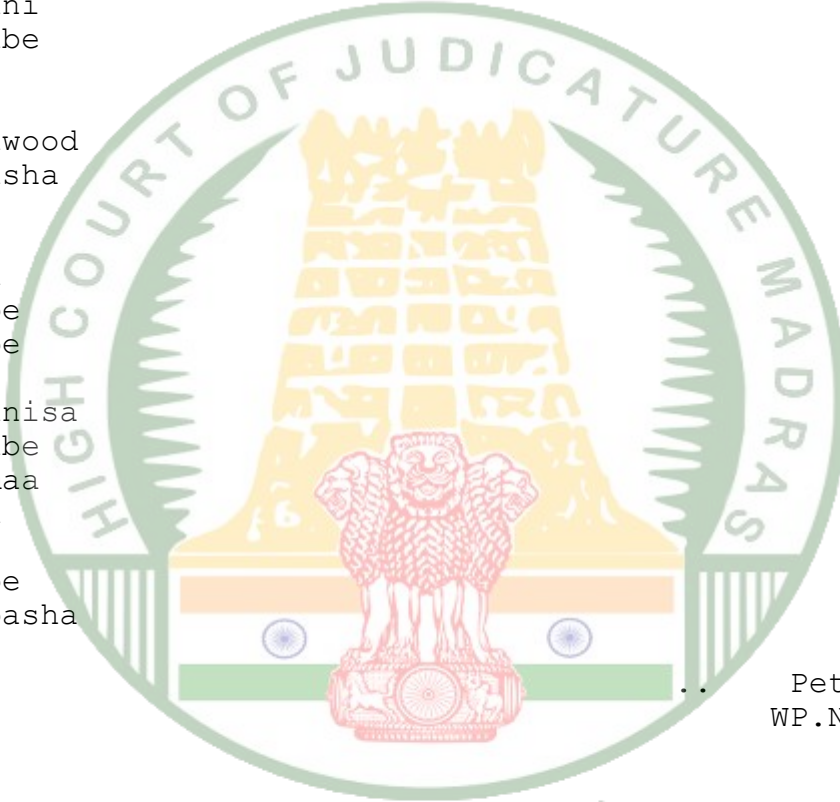
DATED 01.03.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.Nos.7551 to 7554/2016 & WMP.Nos.6778 to 6785/2016

- 1.A.Noorjahanbe
- 2.Shagulameed
- 3.Kuppakanni
- 4.Mahamutabe
- 5.Jalal
- 6.Salimabe
- 7.Shiek Dawood
- 8.Kahar Basha
- 9.Begam
- 10.Basha
- 11.Madhian
- 12.Sabarabe
- 13.Ayishabe
- 14.Jamila
- 15.Meharunnisa
- 16.Kathijabe
- 17.Settammaa
- 18.Naseema
- 19.Gafoor
- 20.Sabirabe
- 21.Malik basha
- 22.Mumthaj
- 23.Gulnar



... Petitioners in
WP.No.7551/2016

- 1.Jeenathbi
- 2.Mohamad Gouse
- 3.Sharpunnisa
- 4.Sakkirabe
- 5.Aaminabe
- 6.Habibunnisa
- 7.Kamalakannan
- 8.Kairunnisa
- 9.Malligabe
- 10.Fathimuthu
- 11.Abdul Nazeer
- 12.Sharmila Banu
- 13.Ashabi
- 14.Abdul Muthalif
- 15.Kadhar Husen

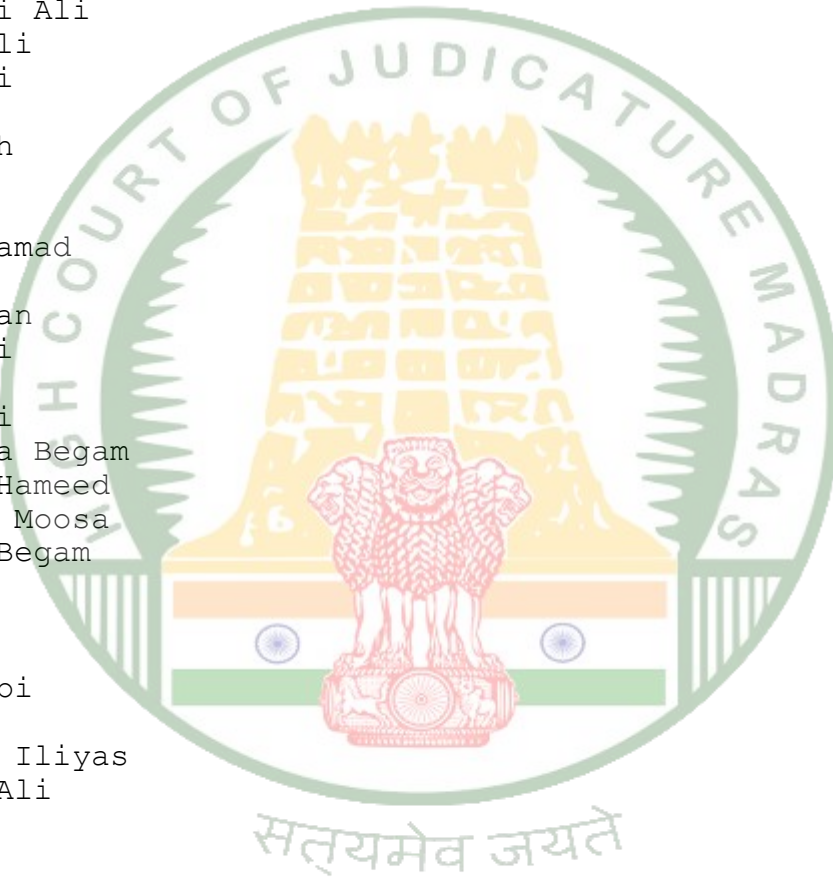
WEB COPY

16.K.Shajahan
17.Koodu Basha
18.Jeenath
19.Sayed Rahim
20.Ajeemabi
21.Shafrunnisa
22.Abdul Ghani
23.Jarinabi
24.Abdul Gafoor

.. Petitioners in
WP.No.7552/2016

1.Raheemabi
2.Liyakathi Ali
3.Ashraf Ali
4.Aabithabi
5.Shahitha
6.Shamshath
7.Yasinbi
8.Ashama
9.Asan Mohamad
10.Alimabi
11.Asan Khan
12.Sabirabi
13.Kasim
14.Ayishabi
15.Sharmila Begam
16.Shagul Hameed
17.Mohamad Moosa
18.Rajiya Begam
19.Hakkim
20.Kaffar
21.Sharif
22.Jubethabi
23.Moosa
24.Mohamed Iliyas
25.Liyath Ali
26.Usenbi
27.Asif
28.Ameer Basha
29.Hajaranbi
30.Mubarak Ali
31.Fathimabi
32.Innunbi
33.Naseema
34.Mohamed Ali
35.Jubithabi
36.Begam

.. Petitioners in
WP.No.7553/2016



WEB COPY

1. Shafrunnisa
2. Basha
3. Mohamed Jiya
4. Saifullah
5. Noorjahan
6. Shagul Hameed
7. Abdul Majid
8. Mumthaj Begam
9. Parveen
10. Ramizabi
11. Noorunnisa
12. Dhasthageer
13. Kulsar
14. Asharafunnisa
15. Fathimabi
16. Julekabi
17. Saithanibi
18. Abdul Ameer
19. Shakkila Banu
20. Saravanan
21. Kaliyaperuma
22. Krishnamorrthi
23. A. Mohammad Liyakathilal
24. Faridhabi
25. Ajjamabi
26. Gulsarbi
27. Mumtaj

... Petitioners in
WP.No.7554/2016

Versus

1. The Assistant Engineer
Tamil Nadu Electricity Board
Thindivanam.
2. The District Forest Officer
Villupuram Division/Thindivanam
Villupuram.
3. The Range Officer
Thindivanam Range, Thindivanam.

... Respondents in
all the writ petitions

Writ petitions filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to provide domestic electricity service connection to the petitioners representation dated 05.06.2012.

For Petitioners in
all the writ petitions: Mr.S.N.Kirubanandam
For R1 in all the
writ petitions : Mr.M.Varun Kumar
For RR2&3 in all the
writ petitions : Mr.N.Inbanathan, GA [Forests]

COMMON ORDER

Heard Mr.S.N.Kirubanandam, learned counsel appearing for the petitioners ; Mr.M.Varun Kumar, learned counsel accepting notice on behalf of the 1st respondent ; and Mr.N.Inbanathan, learned Government Advocate [Forests] accepting notice on behalf of the respondents 2 and 3 and with their consent, the writ petitions are taken up for final disposal at the admission stage.

2 Since the issue involved in the above writ petitions is one and the same, the writ petitions are disposed of by the following common order.

3 The petitioners have come forward with the present writ petitions seeking for issuance of a writ of mandamus to direct the 1st respondent to provide domestic electricity service connection by considering their representation dated 05.06.2012.

4 Admittedly, the petitioners are encroachers of the Government property. It is not known as to whether the said property is a water body or it is a poramboke land. The petitioners claim to be in possession of the said property for some years and they state that they have been affected by Tsunami and the Government has not rehabilitated them nor given alternate sites.

5 Since the writ petitions are disposed of at the admission stage, the merits of the allegations made by the petitioners cannot be gone into. Further, this Court cannot issue any positive direction at this juncture since individual petitioners have not given any representation to the Electricity Board for grant of electricity supply and the representation dated 05.06.2012, is collectively by the members of Koonimedu village, Villupuram District. Based on such representation, no writ of mandamus could be issued as sought for by the petitioners.

6 Accordingly, while rejecting the relief sought for by the petitioners, liberty is granted to them to submit individual representations to the 1st respondent, who shall obtain appropriate report from the District Collector, Villupuram, and also from the District Forest Officer, Tindivanam, and from the Range Officer, Tindivanam Range and after getting appropriate

report, pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. In case of any difficulty in implementing the order of this Court within the time permitted, the respondents are at liberty to seek for extension of time.

7 With the above direction, the writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Assistant Engineer
Tamil Nadu Electricity Board
Thindivanam.

2.The District Forest Officer
Villupuram Division/Thindivanam
Villupuram.

3.The Range Officer
Thindivanam Range, Thindivanam.

+1 cc to M/s.S.N.Kirubanandam Advocate sr.13375

+1 cc to Mr.M.Varunkumar Advocate sr.13351

+1 cc to the Special Government Pleader sr.13107

सत्यमेव जयते

WP.Nos.7551 to 7554/2016

aa08/03/2016

WEB COPY