

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.8379 of 2016 &
WMP No.7421 of 2016

S.Murugavel

[PETITIONER]

Vs

1 The Chairman
Tamil Nadu Electricity Board
N.P.K.R.R. Maligai, Electricity Avenue
Chennai-2.

2 The Assistant Engineer
Tamil Nadu Electricity Board
Nandambakkam, Chennai.

3 E.Chellammal

[RESPONDENTS]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the 2nd respondent to entertain the representation dated 12.02.2016 for disconnection of electricity service connection effected to the petitioner property situated in the vacant land bearing No.123-A measuring an extent of 1667 sq.ft in Lakshmi Nagar comprised in Survey No.223 Madandapuram, Chennai-125 in contravention of the Provisions of the Electricity Act 2003 and The Tamil Nadu Electricity Distribution Code 2004 and dispose of the same in time bound manner.

For Petitioner : Mr.R.Chandrasudan

For Respondents : Mr.S.K.Raameshuwar- R1 & R2
Standing Counsel

O R D E R

Heard Mr.R.Chandrasudan, learned counsel for the petitioner and Mr.S.K.Raameshuwar, learned Standing Counsel accepting for the respondents 1 & 2 and with their consent, the Writ Petition is taken up for final disposal.

2.The petitioner alleges that the third respondent has encroached into his property at Survey No.223 Madandapuram, Chennai-125, in contravention of the Provisions of the Electricity Act 2003 and The Tamil Nadu Electricity Distribution Code 2004 and illegally obtained electricity service connection. Hence, the petitioner has submitted a representation on 12.02.2016, to the respondents and the same is pending. According to the petitioner, the representation sent by 'Registered Post' was refused to be received by the second respondent and the copy of the 'returned cover' has been filed in the typed set of papers.

3.From the address given in the 'returned cover', it is seen that the address is not a complete address. In any event, the competent authority should consider the representation.

4.Accordingly, there will be a direction to the petitioner to forward a copy of the representation along with the copy of this order to the second respondent to the correct address and with proper designation and on receipt of the same, the second respondent/competent authority shall issue notice to the petitioner and the third respondent, consider the representation and pass appropriate orders on merits and in accordance with law. The above exercise has to be complied with by the second respondent, within a period of four weeks from the date of receipt of representation from the petitioner.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

- 1 The Chairman,
Tamil Nadu Electricity Board,
N.P.K.R.R. Maligai, Electricity Avenue,
Chennai-2.

WEB COPY

2 The Assistant Engineer,
Tamil Nadu Electricity Board,
Nandambakkam, Chennai.

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.14261
+1cc to M/S.r.Chandrasudan, Advocate, S.R.No.14447

W.P. No.8379 of 2016

ala(CO)
srg(17/03/2016)



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