

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Writ Petition No.1399 of 2017

and

W.M.P.No.1309 of 2017

Dharmalingam

... Petitioner

vs.

1.Asst. Executive Engineer,
(Operation & Maintenance)
TANGEDCO, Kallakurichi,
Villupuram District.

2.Junior Engineer,
(Operation & Maintenance)
TANGEDCO, Mamanandal,
Kallakurichi,
Villupuram District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for a Writ of certiorarified mandamus to call for the records pertaining to the impugned order of Mahazar and working sheet dated 23.09.2016 issued by the respondents to the petitioner in respect of his Electricity Service Connection No.1141 within the Distribution Zone of Siruvangur, Kallakurichi Taluk, Villupuram District, alleging theft of energy and quash the same, consequentially direct the respondents to restore said the Electricity Connection forthwith.

For Petitioner : Mr.P.Rajavel
For Respondents : Mr.M.Varunkumar

ORDER

The order impugned has been passed on the premise that the petitioner has misused the conditions of service connection by using it for business purpose and the same has been found on inspection. Challenging the same, the present writ petition has been filed.

2.As rightly submitted by the learned counsel for the petitioner, the order impugned, having civil consequence, was not preceded by show cause notice.

3.In view of the said admitted position, the order impugned is treated as a show cause notice and the petitioner is given six weeks' time from the date of receipt of a copy of this order to give suitable reply. Thereafter, appropriate orders will have to be passed.

4.Considering the facts and circumstances of the case, the respondents are directed to restore the service connection pending adjudication on condition that the petitioner pays a sum of Rs.30,000/- apart from the amount of Rs.12,000/- said to have been paid after the passing of the impugned order within a period of two weeks from the date of receipt of a copy of this order.

5.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Asst. Executive Engineer,
(Operation & Maintenance)
TANGEDCO, Kallakurichi,
Villupuram District

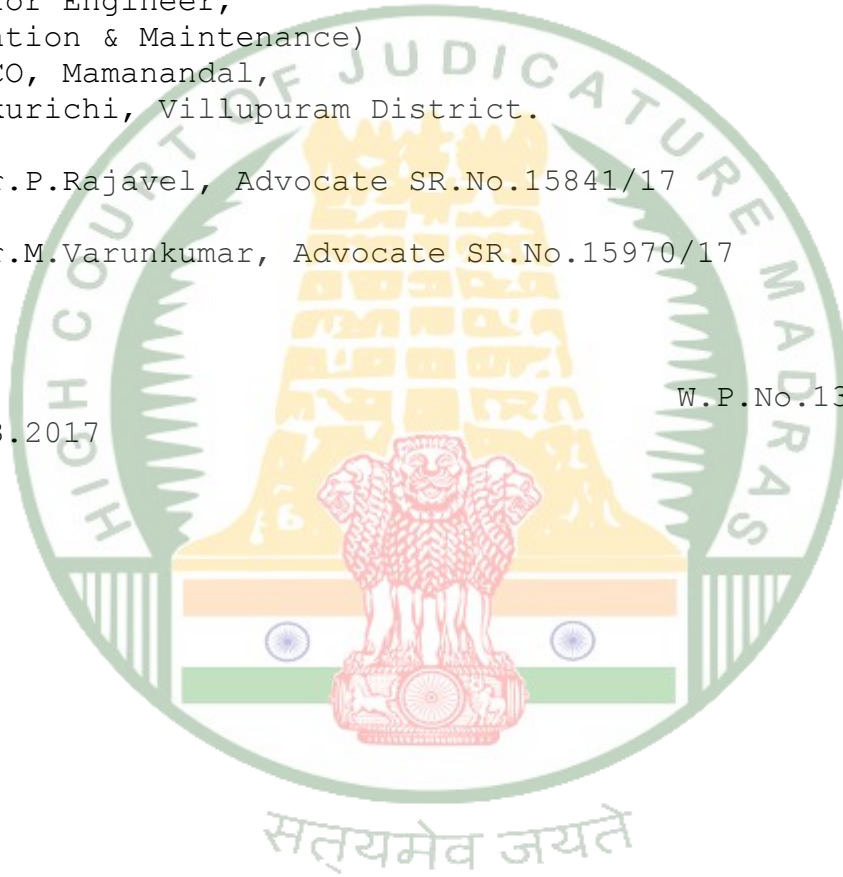
2.The Junior Engineer,
(Operation & Maintenance)
TANGEDCO, Mamanandal,
Kallakurichi, Villupuram District.

+1cc to Mr.P.Rajavel, Advocate SR.No.15841/17

+1cc to Mr.M.Varunkumar, Advocate SR.No.15970/17

SDR 24.03.2017

W.P.No.1399 of 2017



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