

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.15781 of 2017

and

W.M.P.Nos.17066 and 17067 of 2017

1.R.Ashok Kumar

2.A.Shoba Devi Kothari

3.Praveen Kumar Devda

4.Mamta

..Petitioners

Vs.

1.Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.

2.The Executive Engineer/O&M/Egmore,
TANGEDCO,
No.47, Malayappan Road,
Chennai - 112.

3.The Area Engineer,
Area V,
Chennai Metropolitan Water Supply
And Sewerage Board,
Choolai, Chennai - 112.

..Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd and 3rd respondents herein to restore the disconnected electricity service connection as well as drainage and water connection forthwith to the premises situated at New No.99, Old No.45, Sami Pillai Street, Choolai, Chennai-112, which was disconnected at the instance of the 1st respondent vide letter dated 30.11.2015.

For Petitioner : Mr.R.Mohan

For Respondents : Mr.C.Johnson (For R1)
Mr.P.R.Dhilipkumar (For R2)
Mr.Janakiraman (For R3)

O R D E R

This writ petition has been filed for issuance of writ of Mandamus, directing the 2nd and 3rd respondents herein to restore the disconnected electricity service connection as well as drainage and water connection forthwith to the premises situated at New No.99, Old No.45, Sami Pillai Street, Choolai, Chennai-112, which was disconnected at the instance of the 1st respondent vide letter dated 30.11.2015.

2.The petitioner had removed the unauthorized construction made earlier as seen from the following paragraphs in the order passed in W.P.No.40976 of 2015 dated 10.02.2016:

"4.Learned counsel appearing for the petitioners submits that the unauthorized portions have been fully removed. Thus, a direction be issued to the authorities to unlock and de-seal the portions, which are constructed as per the plan fully approved by the local authorities.

5.Learned standing counsel appearing for the second respondent fairly submits that since the unauthorized portions have been removed, the authority will unlock and de-seal the portions, which are constructed as per the approved plan, within a period of one week.

6.In view of the above submission made by the learned standing counsel appearing for the second respondent, it is ordered accordingly."

3.Learned counsel appearing for the first respondent would also confirm the said factual position.

4.In view of the above, there would not be any impediment for the respondents 2 and 3 to restore the disconnected electricity service connection and drainage and water supply. Accordingly, the respondents 2 and 3 are hereby directed to do the needful within a period of two weeks from the date of receipt of a copy of this order subject to the requisite payment, if any.

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5.With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.Chennai Metropolitan Development Authority,
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Egmore, Chennai - 8.
- 2.The Executive Engineer/O&M/Egmore,
TANGEDCO,
No.47, Malayappan Road,
Chennai - 112.
- 3.The Area Engineer,
Area V,
Chennai Metropolitan Water Supply
And Sewerage Board,
Choolai, Chennai - 112.

+1 cc to M/s.G.Janakiraman Advocate sr 45544
+1 cc to M/s.P.Tamilmani Advocate sr 46118
+1 cc to M/s.P.R.Dhilipkumar Advocate sr 45440
+2 ccs to M/s.R.Mohan Advocate sr 45195

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