

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.26152 of 2017

B.Kannan

.. Petitioner

Vs.

1.Assistant Engineer

Office of the Assistant Engineer
Tamil Nadu Electricity Board
Lakshmipuram Division
Chennai-600 099.

2.Joint Commissioner, HR & CE

Hindu Religious and Charitable Endowment Board
Uthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to provide electricity connection for the residence of the petitioner located in No.10, S.No.69/1, Gokul Street, Subash Nagar Extension, Buthagaram, Kolathur, Chennai-600 099.

For Petitioner : Mr.V.Veluchamy

For Respondents : Mr.P.R.Dhilip Kumar
standing counsel for R1
Mr.M.Maharaja
Special Government Pleader
(HR&CE) for R2

O R D E R

Mr.P.R.Dhilip Kumar, learned standing counsel takes notice for the first respondent and Mr.M.Maharaja, learned Special Government Pleader takes notice for the second respondent. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the first respondent to provide electricity connection for the premises located at No.10, S.No.69/1, Gokul Street, Subash Nagar Extension, Buthagaram, Kolathur, Chennai-600 099, wherein the petitioner resides.

3. The grievance of the petitioner is that the first respondent is not providing the electricity connection, based on the objections filed by the second respondent.

4. Mr.M.Maharaja, learned Special Government Pleader appearing for the second respondent, based on instructions, submitted that already an execution proceedings to evict the petitioner and other tenants have been filed and the same is pending against the petitioner and therefore, the present relief need not be granted to the petitioner.

5. On the other hand, the learned counsel for the petitioner submitted that so long as the petitioner is residing in the property, he is entitled to have the basic amenity viz., the electricity connection and therefore, the petitioner is agreeable, if the electricity connection is given even in the name of the second respondent.

6. Considering the above stated facts and circumstances and the submissions made by the learned counsel appearing for the respective parties, this Court is of the view that there will not be no impediment for the first respondent or the second respondent for providing the electricity supply to the petition mentioned premises, pending eviction proceedings, if the service connection is given in the name of the temple viz., Arulmighu Somanathaswamy Thirukoil. Needless to say that the order passed in this writ petition cannot be taken advantage by the petitioner in any manner in the other proceedings pending against him filed by the second respondent. Thus, this writ petition is disposed of, only with a direction to the first respondent to provide the electricity connection for the petition mentioned premises in the name of the said temple, after collecting necessary charges from the petitioner. Such exercise shall be done by the first respondent within a period of two weeks from the date of receipt of a copy of this order. No costs.

Mk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Assistant Engineer
Office of the Assistant Engineer
Tamil Nadu Electricity Board
Lakshmipuram Division
Chennai-600 099.

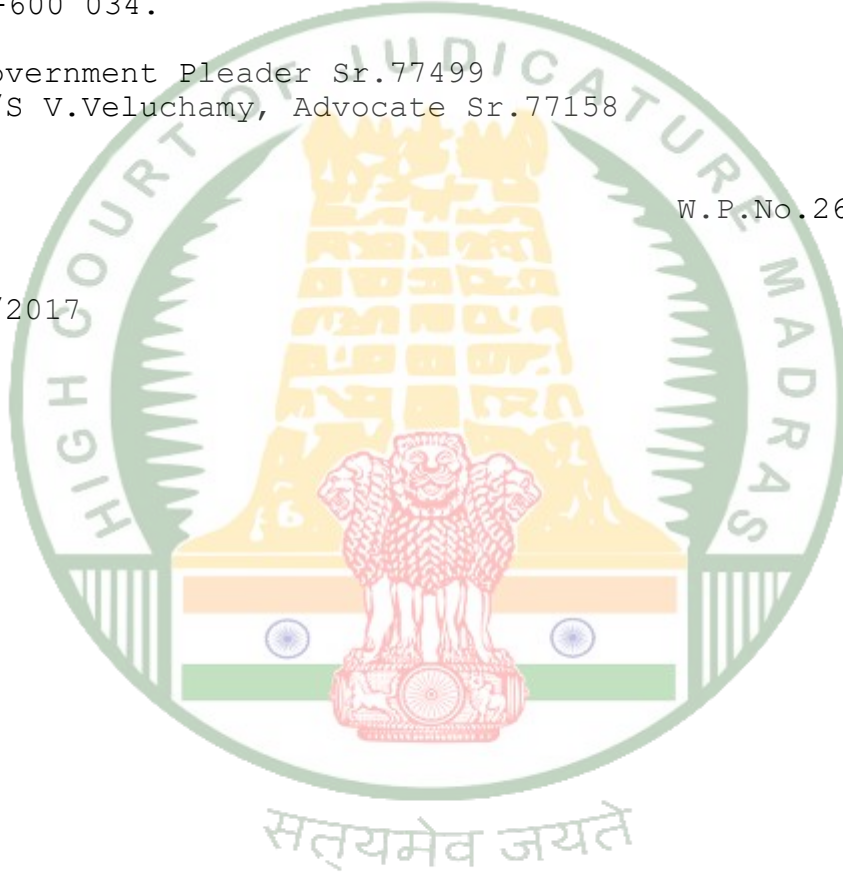
2.The Joint Commissioner, HR & CE
Hindu Religious and Charitable Endowment Board
Uthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.

+1cc to Government Pleader Sr.77499

+1cc to M/S V.Veluchamy, Advocate Sr.77158

W.P.No.26152 of 2017

NRJK(CO)
RVR 20/11/2017



WEB COPY