

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2017

CORAM
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16400 of 2017
and
W.M.P.No.17727 of 2017

A.V.Mylsamy

.. Petitioner

-vs-

1. The Tamil Nadu Generation & Distribution Corporation,
Rep. by the Executive Engineer (O & M),
Angalakurichi Sub Station,
Pollachi, Coimbatore District - 642 001.
 2. Tamil Nadu Generation & Distribution Corporation,
Rep. by the Assistant Engineer,
Devanampudur West, Devanampudur Post,
Pollachi Taluk, Coimbatore District - 642 207.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from preventing the petitioner to draw water from the Ring Well dug by the Petitioner in S.No.107/1 at Arthanaripalayam Village, Pollachi Taluk, Coimbatore District, with the help of the agricultural Electricity Service Connection No.504 to irrigate the petitioner's land in Survey No.108 at Arthanaripalayam Village, Pollachi Taluk, Coimbatore District.

For Petitioner : Mr.K.Selvaraj

O R D E R

After hearing the learned counsel for the writ petitioner for a considerable length of time, this Court found that the very same writ petitioner earlier filed a Writ Petition in W.P.No.14545 of 2017, almost resembling the same prayer that of the present Writ Petition of this Court passed a final order on 12.06.2017, issuing directions as extracted here under:

"6.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought now by the learned counsel for the petitioner, without expressing any opinion with

regard to the merits of the case, I direct the respondent to consider the petitioner's representation dated 02.06.2017 and pas 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, after giving notice to all the interested parties."

2. In paragraph No.11 of the affidavit filed in support of the present writ petition on hand, the writ petitioner himself admitted the fact that the order copy in W.P.No.14545 of 2017 was made ready on 22.06.2017, it is sent to the Tahsildar and it is under consideration.

3. When the order of this Court passed earlier is under consideration, the writ petitioner ought not to have moved this writ petition, which is nothing but sheer abuse of process of law and when this position was explained to the learned counsel for the writ petitioner, the learned counsel had pleaded for withdrawal of the writ petition.

4. Recording the submissions made by the learned counsel for the petitioner and the endorsement so made, this Writ Petition is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ah/rpa

To

1. The Tamil Nadu Generation & Distribution Corporation,
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GN(11/07/2017)