

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.28652 of 2017

N.Senthil Kumar

.. Petitioner

-vs-

- 1.The District Collector,
Office of the District Collector,
Tirupur.
- 2.Additional Director General
of Police (Vigilance),
Tamil Nadu Generation and Distribution
Corporation Ltd., Tamil Nadu Electricity
Board, Chennai.
- 3.Superintending Engineer,
Office of the Superintending Engineer,
Udumalpet/Electricity Distribution Centre,
Tirupur District.
- 4.Executive Engineer (Enforcement Wing),
Tamil Nadu Generation and Distribution
Corporation Ltd., Coimbatore.
- 5.Assistant Engineer,
Tamil Nadu Electricity Board,
Kaniyur, Madathukulam Taluk,
Tirupur District.

6.Manonmani

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to disconnect the electricity service connection bearing Consumer No.03110011939 and No.03110011879 granted to the 6th respondent's land at Kaniyur, Madathukulam Taluk, Tirupur District.

For Petitioner : Ms.C.Sriranjani
For Respondents : Mr.T.N.Rajagopalan
Govt. Pleader (I/c.) for R-1
: Mr.S.K.Raameshuwar
Stg. Counsel for RR 2 to 5

* * * * *

O R D E R
(Order of the Court was made by M.Sundar, J.)

Subject matter of this writ petition is two electricity service connections bearing Consumer Nos. 03110011939 and 03110011879 granted to respondent no.6 (a private respondent) at Kaniyur, Madathukulam Taluk, Tirupur District.

2.Ms.C.Sriranjani, learned counsel appearing for the writ petitioner, submits that the aforesaid electricity service connections have been obtained by respondent no.6, for agricultural purpose, but the electricity from these service connections is being used for commercial purpose, i.e., inter alia, for a poultry farm.

3.Mr.S.K.Raameshwar, learned Standing Counsel appearing for Tamil Nadu Generation and Distribution Corporation Ltd. (hereinafter referred to as 'TANGEDCO', for the sake of convenience and brevity), accepts notice on behalf of respondent nos.2 to 5 before us. Mr.T.N.Rajagopalan, learned Government Pleader (In-charge), accepts notice on behalf of respondent no.1 before us.

4.As stated supra, respondent no.6 is a private respondent and is a consumer, whose electricity service connections are the subject matter of the instant writ petition.

5.Mr.Raameshwar, learned Standing Counsel for TANGEDCO, submits, on instructions from respondent no.5, that one of the two electricity service connections, namely, the electricity connection bearing No.03110011879, has already been disconnected (at the request of the consumer). It is also submitted by the learned Standing Counsel that besides disconnection, the apparatus for the service connection have also been dismantled and removed from the premises. Therefore, that puts an end to the controversy with regard to one of the two electricity service connections, which are subject matter of the instant writ petition before us.

6. With regard to the other electricity service connection, i.e., the one bearing Consumer No.03110011939 given to respondent no.6, we direct that respondent nos.4 and 5 before us, i.e., Executive Engineer (Enforcement Wing), TANGEDCO, Coimbatore and Assistant Engineer, TANGEDCO (erroneously mentioned as Tamil Nadu Electricity Board by the writ petitioner in the writ petition) shall cause an inspection to be made within a week from to-day. As, for an inspection of this nature, a surprise element is also necessary, we are not directing respondents 4 and 5 to put respondent no.6 on notice before inspection. If no violation of conditions of service/supply are found, the matter shall be put to rest. If there is any violation of conditions of service connections as alleged or in any other manner, respondents 2 to 5 shall initiate action in accordance with law, after putting respondent no.6 on notice. Such proceedings shall be commenced within a fortnight from the date of inspection and concluded within two (2) months.

7. Writ petition is disposed of, with the above directions. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

sra

To

1. The District Collector,
Office of the District Collector,
Tirupur.
2. Additional Director General
of Police (Vigilance),
Tamil Nadu Generation and Distribution
Corporation Ltd., Tamil Nadu Electricity
Board, Chennai.
3. Superintending Engineer,
Office of the Superintending Engineer,
Udumalpet/Electricity Distribution Centre,
Tirupur District.

4.Executive Engineer (Enforcement Wing),
Tamil Nadu Generation and Distribution
Corporation Ltd., Coimbatore.

5.Assistant Engineer,
Tamil Nadu Electricity Board,
Kaniyur, Madathukulam Taluk,
Tirupur District.

+ 1 cc to Ms.C.Sriranjani Advocate,SR.79843

+ 1 cc to Mr.S.K.Raameshuwar Advocate,SR.79886

+ 1 cc to The Govt.Pleader, SR.80329

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RSK(CO)
NR 13/11/2017



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