

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HONOURABLE MR.JUSTICE.M.M.SUNDRESH

W.P. No. 27299 of 2016

1. T.Murugan
 2. A.Kalaiselvi
 3. M.Ramesh
 4. E.Narayana Moorthy
 5. A.Suresh
 6. T.Chandra
 7. D.Saravana Kumar
 8. R.Shanmuga Perumal
 9. M.Dhatshina Murthy
 10. P.Meera
-Petitioners

- Vs -

1. The Chairman cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
NPKRR Maliga, No.144, Annasalai,
Chennai - 600 002.
 2. The Executive Engineer (Operation & Maintenance)
Tamil Nadu Generation and,
Distribution Corporation Ltd.,
Ambattur, Chennai - 56.
 3. The Assistant Electrical Engineer
(Operation & Maintenance),
Tamil Nadu Generation and
Distribution Corporation Ltd,
Ponniyamman Nagar, Chennai
Electricity Distribution Circle/West,
Chennai - 77.
 4. The Executive Officer,
Arulmigu Pidari Ponniyamman Thirukoil,
Ponniyamman Nagar, Ayanampakkam,
Chennai - 600 095.
- . . . Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the 3rd respondent to provide the electricity connection to the

respective petitioner's houses at Ponniyamman Nagar, Keel Ayanambakkam in the light of the application dated 10.05.2016.

For Petitioner : Mr.M.Rajendiran
For Respondents : Mr.P.R.Dillip Kumar
for R1 to R3
Mr.M.Maharaja,
Spl. Govt. Pleader for R4

ORDER

Seeking a direction to the third respondent to provide service connection to the houses of the petitioners in the light of the application dated 10.05.2016, the petitioners have filed the present writ petition.

2.The petitioners seek service connection for the property owned by the fourth respondent claiming to be the tenants. The fourth respondent denies the tenancy and the entitlement of the petitioners to be in possession. It appears that action has already been taken under Section 78 of the H.R.C.E. Act, 1959 to evict the petitioners.

3.In such view of the matter, this Court is of the view that there is no dispute regarding the factum of possession of the petitioners though there is a dispute regarding their status. That is the matter to be decided in the proceedings initiated by the fourth respondent. Now, what the petitioner wants is only a service connection. The said connection cannot be denied as it confers right to live enshrined under the Constitution of India.

4.Accordingly, the writ petition is allowed. The third respondent is directed to provide service connection to the petitioners' houses in the name of the fourth respondent within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this order will not enure to the benefit of the petitioners in the proceedings initiated under Section 78 of the H.R. and C.E. Act. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Chairman cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
NPKRR Maliga, No.144, Annasalai,
Chennai - 600 002.
2. The Executive Engineer (Operation & Maintenance)
Tamil Nadu Generation and,
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Chennai - 77.
4. The Executive Officer,
Arulmigu Pidari Ponniyamman Thirukoil,
Ponniyamman Nagar, Ayanampakkam,
Chennai - 600 095.

+lcc to Mr.M. Rajendiran, Advocate, S.R.No.17546
+lcc to Mr.P.R. Dilipkumar, Advocate, S.R.No.17538
+lcc to the Government Pleader, S.R.No.17928

GJ(CO)
md(23/03/2017)

सत्यमेव जयते

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