

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-01-2017

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.No.28773 of 2016
and
WMP.Nos.24814 and 29183 of 2016

M. Ramalingam

...Petitioner

Vs

1 The Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Udumalpet
Thiruppur District

2 The Assistant Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Madathukulam
Thiruppur District

3 K. Ramasamy

4 N. Selvarani

... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus Forbearing the 1st and 2nd respondent from giving electricity service connection to the bore well sunk by the respondents 3 and 4 in the common property in Survey No. 237/2A situated at Mayilapuram, Sankaramanallur North Village, Madathukulam Taluk, Thiruppur District.

For petitioner :: Mr.M. Purushothaman
For respondents :: Mr. S.K. Raameshwar for RR1 and 2
Mr. K. Myilsamy, for RR3 and 4

O R D E R

The present petition has been filed by Mr. Ramalingam, S/o. Marimuthu Gounder seeking for a writ of mandamus to forbear the first and second respondent from giving electricity service connection to the bore well sunk by the respondents 3 and 4 in the common property in Survey No. 237/2A situated at Mayilapuram, Sankaramanallur North Village, Madathukulam Taluk, Thiruppur District.

2. After taking notice, a detailed counter affidavit has been filed by the first and second respondent stating that the fourth respondent has not applied for new electricity service connection and she has applied only for fixing D.T. Switch/Change over connection on the pre-existing electricity service connection. The agricultural electricity service connection bearing No.312.008.544, was in the name of the fourth respondent. The fourth respondent has been drawing the well water through motor pump sets using electricity service connection. The fourth respondent has duck the bore well and applied for fixing D.T. Switch/change over connection before the second respondent authorities for using electricity service connection both bore well and well water. In the meanwhile, the petitioner has also made a representation objecting for granting electricity service connection. Subsequently, he has come to this Court, with the present writ petition.

3. The second respondent has already issued a show cause notice calling for an enquiry and also the petitioner and fourth respondent have agreed to participate in the enquiry, hence, this Court is not inclined to entertain the writ petition. However, such an exercise of conducting the enquiry and passing appropriate orders on merits and in accordance with law shall be completed within a period of three weeks.

4. In fine, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

1 The Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Udumalpet
Thiruppur District

2 The Assistant Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Madathukulam
Thiruppur District

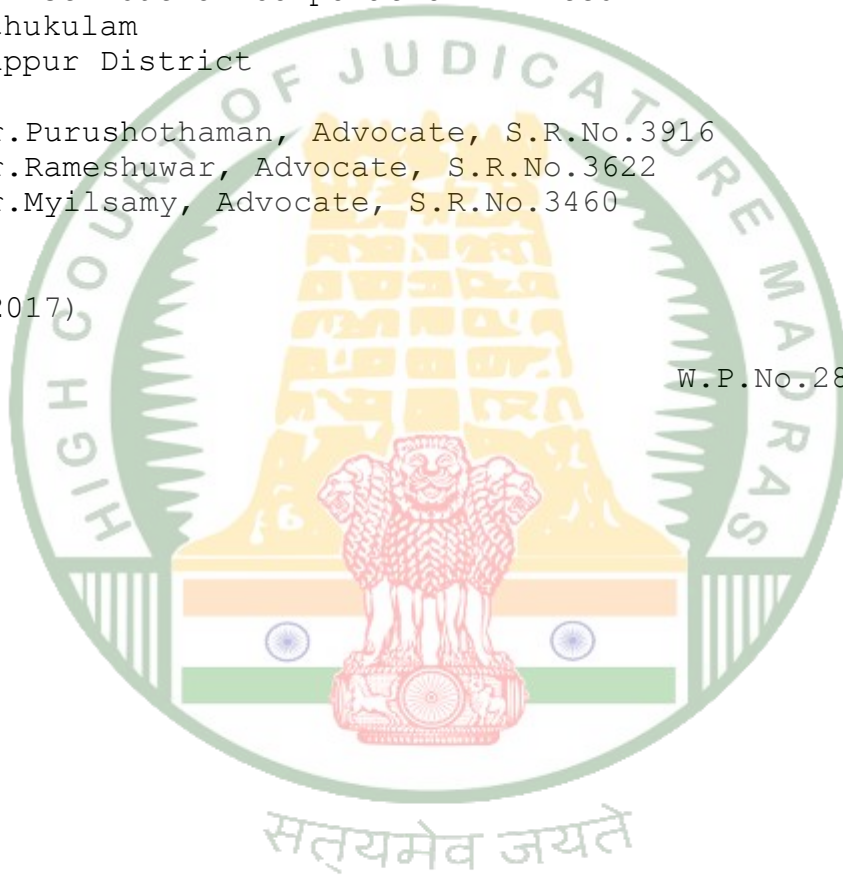
+2cc to Mr.Purushothaman, Advocate, S.R.No.3916

+1cc to Mr.Rameshuwar, Advocate, S.R.No.3622

+1cc to Mr.Myilsamy, Advocate, S.R.No.3460

PPA (CO)
RS (20/02/2017)

W.P.No.28773 of 2016



WEB COPY