

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.37522 of 2016
and
W.M.P.No.32151 of 2016

G.Gnanasundaram .. Petitioner

Vs.

1. The Chariman,
Tamil Nadu Electricity Board
TANGEDCO, 800, Anna Salai,
Chennai - 2.
2. The Superintending Engineer,
Tamil Nadu Electricity Board
TANGEDCO, Kancheepuram Division.
3. The Executive Engineer,
Tamil Nadu Electricity Board
TANGEDCO, Koovathur,
Koovathur Post, Cheyyur Taluk,
Kancheepuram District.

4. Soundararajan .. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the second and third respondent from granting electricity connection to the fourth respondent building situated at S.No.754/2, 4, 5, 6 and 7 to an extent of 0.45 cents, Koovathurpettai, Koovathur Village, Cheyyur Taluk, on the basis of the petitioner's representation dated 14.09.2016.

For Petitioner

.. No appearance

For Respondents

.. Mr.S.K.Rameshwar for R1 to R3
Mr.M.L.Ramesh for R4

ORDER

This writ petition has been filed by the petitioner, seeking a writ of mandamus forbearing the respondents 2 and 3 from granting service connection to the fourth respondent.

2.Today, when the writ petition is taken up for hearing, there is no representation on behalf of the petitioner as was the case on the earlier occasion.

3.On the submissions made by the learned counsel appearing for the fourth respondent and on perusal of the counter affidavit filed by the third respondent, it appears that service connection has already been given. It is apposite to refer para 3 of the counter affidavit filed by the third respondent, which reads as under:

"3.I further submit that the petitioner sent a letter to the Board on 14.09.2016 not to give service connection in favour of the fourth respondent (i.e.) Mr.B.Soundararajan as one case is pending before the Hon'ble High Court of Madras and one civil suit is pending before the Sub Court, Maduranthagam, but the Board had already effected the service connection in favour of Mr.B.Soundararajan on 30.04.2016 itself. I further submit that the civil case between the petitioner and fourth respondent which was pending before the Sub Court at Maduranthagam the Board came to know only after effecting the temporary service connection on 30.04.2016 in favour of the fourth respondent."

4.In such view of the matter, the writ petition stands dismissed. However, the service connection effected, being temporary, is subject to the final decision in the suit. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

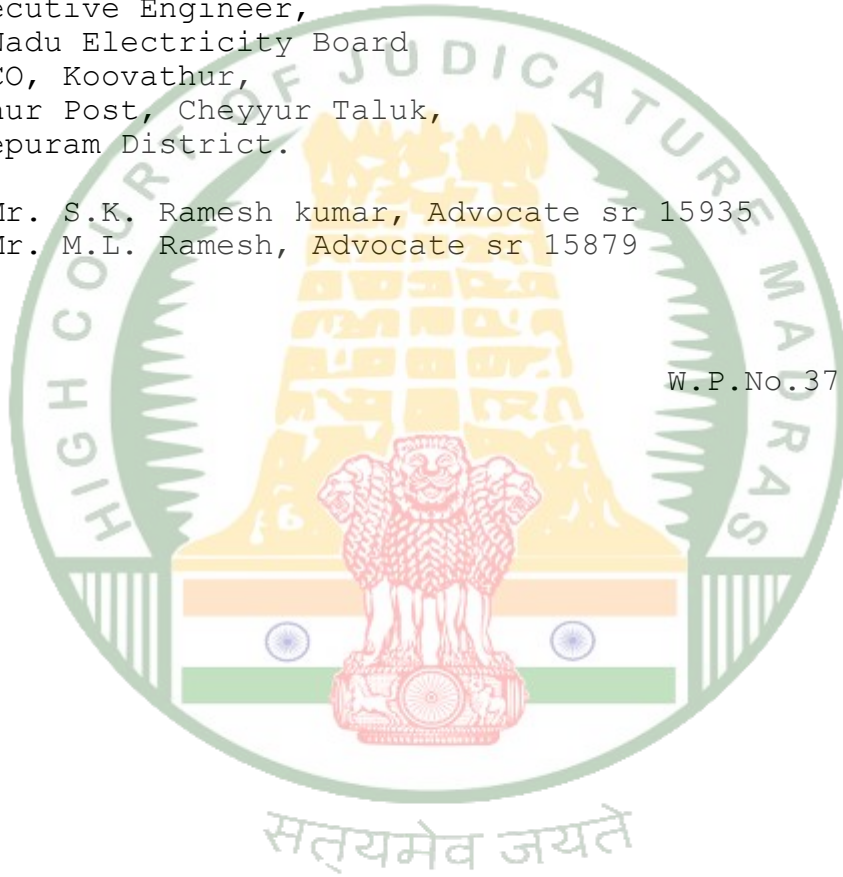
To

1. The Chariman,
Tamil Nadu Electricity Board
TANGEDCO, 800, Anna Salai,
Chennai - 2.
2. The Superintending Engineer,
Tamil Nadu Electricity Board
TANGEDCO, Kancheepuram Division.
3. The Executive Engineer,
Tamil Nadu Electricity Board
TANGEDCO, Koovathur,
Koovathur Post, Cheyyur Taluk,
Kancheepuram District.

+1 CC to Mr. S.K. Ramesh kumar, Advocate sr 15935
+1 CC to Mr. M.L. Ramesh, Advocate sr 15879

W.P.No.37522 of 2016

GJ (CO)
sp/28/3



WEB COPY