

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition No.37889 of 2016 and
W.M.P.No.32468 of 2016

Smt.Latha

.. Petitioner

Vs.

- 1.The Chairman,
Tamilnadu Generation and Distribution Corporation limited,
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer/Commercial,
Representing for Director (Distribution),
Tamilnadu Generation and Distribution Corporation,
No.144, Anna Salai,
Chennai - 600 002.
- 3.The Asst.Executive Engineer,
TANGEDCO,
Tirupur electricity Distribution Circle,
Royapuram,
Tirupur 641 601.
- 4.N.Sekar,
S/o,Natchimuthu,
Superintendent Engineer,
TANGEDCO,
No.9,Jothi Nagar,P.N.Road,
Tirupur-641 602.

5.C.Thangamuthu

6.S.N.S.Sukumaran

.. Respondents

(R5 - Impleaded as per order dated 02.06.2017
in W.M.P.No.4604/2017 in W.P.No.37889/2016)

(R6 - Impleaded as per order dated 22.06.2017
in W.M.P.No.16936/2017 in W.P.No.37889/2016)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the notice of the 3rd respondent in his proceedings in KA.No.VU SAE PO/E & PAE/ROY/TIRUPUR/KO.KATU/KA.No.169/2016, dated 08.10.2016

and quash the same consequently forbearing the 3rd and 4th respondents, their men, agents, servants or any other person acting through them from disconnecting the electricity service connection No.204-013-2252 at S.F.No.755 & 756, Royapuram West Street, Royapuram, Tirupur 641 601 otherwise than in accordance with the instructions issued in Memo No.CE/Comm1/EE3/AEE2/F.SC objections/D 855/2015 dated 28.10.2015 of the 2nd respondent.

For Petitioner : Mr.R.Selvakumar,
For Respondent : Mr.S.K.Rameshwar for R1 to R4,
Mr.N.Manokaran for R5,
Mr.K.Myilsamy for R6.

ORDER

The petitioner's request for service connection is still pending consideration with the fourth respondent in view of the objection raised by the respondents 5 and 6 (since impleaded). The petitioner was asked to produce the relevant documents. Challenging the same, the present writ petition has been filed.

2.The stage is premature. No decision has been made by the fourth respondent. The fourth respondent has not decided the title inter se but only seeks to verify prima facie on the title of the petitioner especially in the light of the objection raised by the 5th respondent. It appears that pending suit, the petitioner filed an application seeking temporary protection which was rejected and against which, an appeal is filed. These are all the matters which are to be looked into by the fourth respondent while deciding the issue as to whether the petitioner is entitled for service connection or not.

3.Accordingly, the writ petition is disposed of by directing the third respondent to take a final decision after affording an opportunity to the petitioner as well as the respondents 5 and 6 within a period of eight weeks from the date of receipt of a copy of this order. It is needless to state that the petitioner will have to co-operate in the enquiry which would be conducted by the third respondent by furnishing all the documents in their possession to prove their right, either title or possession. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cse

To

1.The Chairman,
Tamilnadu Generation and Distribution Corporation limited,
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer/Commercial,
Representing for Director (Distribution),
Tamilnadu Generation and Distribution Corporation,
No.144, Anna Salai,
Chennai - 600 002.

3.The Asst.Executive Engineer,
TANGEDCO,
Tirupur electricity Distribution Circle,
Royapuram,
Tirupur 641 601.

+1cc to Mr.R.Selva Kumar, Advocate SR.No.43841
+1cc to Mr.S.K.Raameshuwar, Advocate SR.No.43944
+1cc to Mr.N.Manokaran, Advocate SR.No.44121
+1cc to Mr.K.Myilsamy, Advocate SR.No.43946

NRJK (CO)
GN (24/07/2017)

W.P.No.37889 of 2016

सत्यमेव जयते

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