



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Nineth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR

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WMP(MD) No.1854 of 2017

IN

WP(MD) No.18142 of 2013

MRS.S.ANNAL

... PETITIONERS IN WP(MD).18142/2013

Vs

1 DISTRICT FOREST OFFICER THIRUNELVELI, THIRUNELVELI.

2 THE CHAIRMAN TAMILNADU ELECTRICITY BOARD,
144, ANNA SALAI, MADRAS - 2

3 THE SUPERINTENDING ENGINEER TNEB, THIRUNELVELI, THIRUNELVELI.

4 THE CHIEF ENGINEER, TNEB RADHAPURAM, THIRUNELVELI.

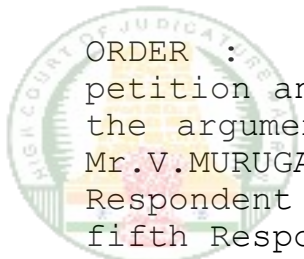
5 JUNIOR ENGINEER DISTRIBUTION TANGEDCO,
RADHAPURAM, THIRUNELVELI. ... RESPONDENTS IN WP(MD).18142/2013

Prayer in WMP(MD).1854/207:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the dismissal for default order dated 19.01.2017 passed by this Honble Court in WP(MD)No.18142 of 2013 and thereby restore the said WP(MD)No.18142 of 2013 on the file of this Honble Court along with connected Miscellaneous Petition and status quo order and pass such further order or orders necessary in the circumstances of the case.

Prayer in WP(MD). 18142/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the 5th respondents and quash the impugned notice dated 23/10/2013 vide No.Ka.Na.Ume Po/vi/Radhapuram/Ka.Thani/A.No.202/13 issued by the 5th respondent as illegal and consequentially direct the respondents not to take cocrcive steps like closure or disconnecting the Electricity Board connection 38 HP 30 KW vide Account No.S.No.626/E6/164 and the present Service connection of the concern in S.C.No.07-065-001-1541 in respect of petitioners saw mill concern named Santha Cruz Saw Mill situated at door no.31/1A, Survey No.199/1C3, Vadakankulam Road, Radhapuram, Thirunelveli District 627 111, till the petitioners application for license is considered by the Ist respondent/State level Empowered committee.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.SURESH, Advocate for the petitioner and of Mr.V.MURUGANANTHAM, Additional Government Pleader for first Respondent and Mr.G.KASINATHADURAI, Standards counsel for Third to fifth Respondent the Court made the following Orders.

The following reason has been given at para of the supporting affidavit by the Petitioner:

"I State that the reason for non-appearance on my part is that my Counsel on record was personally bereaved and at personal loss, and subsequently passed away on 23/01/2017. Hence, sadly due to above situation my counsel on record was unable to attend court during the first weeks of the month of January 2017. Further my counsel is mainly based in Chennai. Hence, in such circumstances a representation through another counsel could not be also made and as such there was no representation for the Petitioner on 12/01/2017 and 19/01/2017.

Satisfying with the said reason this Petition is allowed and the writ Petition is restored.

sd/-

Assistant Registrar(AS)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 DISTRICT FOREST OFFICER THIRUNELVELI, THIRUNELVELI.
- 2 THE CHAIRMAN TAMILNADU ELECTRICITY BOARD,
144, ANNA SALAI, MADRAS -2
- 3 THE SUPERINTENDING ENGINEER TNEB, THIRUNELVELI, THIRUNELVELI.
- 4 THE CHIEF ENGINEER, TNEB
RADHAPURAM, THIRUNELVELI.
- 5 JUNIOR ENGINEER DISTRIBUTION TANGEDCO,
RADHAPURAM, THIRUNELVELI.

+1cc to M/s.J.SURESH, Advocate, in SR No.7371

ORDER

IN

WMP(MD) No.1854 of 2017

IN

WP(MD) No.18142 of 2013

Date :09/02/2017



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