



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13548 of 2017

and

W.M.P (MD) Nos.10600 and 10601 of 2017

Ramakrishnan

... Petitioner

-vs-

1.The Superintending Engineer,
TANGEDCO,
Thanjavur Region,
Thanjavur.

2.The Executive Engineer,
TANGEDCO,
Kumbakonam urban (Operation & Maintenance),
Thanjavur district.

3.The Junior Engineer,
Operation & Maintenance,
TANGEDCO,
Kumbakonam urban,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the third respondent in No.KA.NO.E.ME.PO/E&PARA/33/11/KIVO.THU.MI.KI/KUMBA/KO.THANI/A.N.0.15/2017 dated 15.05.2017 and quash the same and consequently direct the respondents to remove the illegal service connection/shifting bearing No.06-423-002-1445 installed in the petitioner property comprised in survey no.2264/3 and 2270/7 situated at Door No.64, Thangavilas Nagar, 6th ward, Srinagar Colony, Kumbakonam, Thanjavur District within the stipulate by this Court.

For Petitioner

: Mr.B.Jameel Arasu

For Respondents

: Mr.G.Kasinadurai,
Standing Counsel for TNEB

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2. This writ petition is directed against the impugned order, dated 15.05.2017 passed by the third respondent in No.KA.NO.E.ME.PO/E&PARA/33/11/KIVO.THU.MI.KI/KUMBA/KO.THANI/A.N.O. 15/2017.

3. It is contended that when the petitioner's property comprised in Town Survey Nos. 2264/3 and 2270/7 measuring an extent of 0.0537.0 and 0.0074.0 totally 7,140 sqft situated at Door No.64, Thangavilas Nagar, 6th ward, Srinagar Colony, Kumbakonam, Thanjavur District belongs to the petitioner, in the said land one Mr.Sekar got electricity service connection without the petitioner's knowledge. After noticing the said irresponsibility, the petitioner has given several complaints to the respondents to disconnect the electricity service connection given to his property without his knowledge. But, the respondents refused to entertain the petitioner's complaints. Such an action on the part of the respondents is wholly misconceived and therefore, a direction may be given to the respondents to disconnect the electricity service connection, which was obtained by the said Sekar, who is not known to the petitioner.

4. This Court is unable to entertain this writ petition on the following two grounds:

(i) The petitioner claims that the property covered in Town Survey Nos. 2264/3 and 2270/7, belongs to him and the said Sekar has encroached his property without his knowledge and also got electricity Service connection from the respondents and the petitioner should approach the Civil Court either to get declaration of his title or suit for injunction, which has not been done so; and

(ii) The petitioner has not even impleaded the said Sekar, as party/respondent in the present writ petition. Therefore, on that ground also, the writ petition fails and dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

+One cc to M/s.B.Jameel Arasu, Advocate, SR.No.67388

Mrn/Ns

RL/2C/2P/KK/SAR1/31/8/2017

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