



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.16832 of 2017

and

W.M.P. (MD) Nos.13420 to 13422 of 2017

A.Karaimurugan

: Petitioner

Vs.

1. The Assistant Executive Engineer,
(Distribution) TANGEDCO,
Kariapatti,
Virudhunagar District.

2. The Assistant Engineer (North),
TANGEDCO,
Kariapatti,
Virudhunagar District.

3. Fathima Beevi

4. Mytheen

: 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 impugned proceedings of the second respondent க.எண் உமிபொ/வ/காரி/கோ.க/அண்/102/16 dated 27.06.2017 and quash the same as illegal and unconstitutional, consequently forbear the respondents from disconnecting the Electricity Service Connection granted in the name of petitioner in S.C.No:214-008-592, attached to Shop No.3, Mohammed Yousuf Memorial Shopping Complex, Kariapatti Town, Virudhunagar District.

For Petitioner : Mr.S.Balamurugan

For Respondents 1 & 2 : Mr.G.Kasinathadurai

Standing Counsel for TNEB

O R D E R

By consent of both parties, the writ petition itself is taken up for final disposal.



2.The present writ petition is directed against the impugned notice dated 27.06.2017 issued by the first respondent / Assistant Executive Engineer, TANGEDCO, Kariapatti, Virudhunagar District, wherein the petitioner was directed to get 'No Objection Certificate' or 'Consent Certificate' from the landlord within fifteen days, failing which the Electricity Service Connection bearing No.214-008-592 given to the shop in person would be disconnected.

3.A perusal of the impugned notice issued by the first respondent directing the petitioner to obtain 'No Objection Certificate' or 'Consent Certificate' from the landlord within a period of fifteen days to show that the petitioner is a *bonafide* tenant cannot be found fault with. Secondly, the petitioner has filed a Civil Suit in O.S.No.118 of 2017 on 26.07.2017, on the file of the Principal District Munsif Court, seeking permanent Injunction against the landlord and also the agent of the landlord and other rival claimants and the same is also pending.

4.The learned counsel for the petitioner fairly submitted that he has not even paid the rent for the past two months.

5.In view of the dispute between the tenant and the landlord and also taking note of the fact that the petitioner has not even paid the rent for the past two months, this Court is not inclined to entertain the writ petition. Hence, the writ petition stands dismissed. No Costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.S.BALAMURUGAN, ADVOCATE IN SR No. 77207
+ 1 CC TO Mr.G.KASINATHA DURAI , ADVOCATE IN SR No. 76815

MRN/MR

TE/KK/SAR-II : 20/10/2017 : 2P/3C

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