

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 01.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD)No.20081 of 2017

Subbiah Pandian

... Petitioner

Vs.

- 1.The Superintending Engineer,
Wind Farm Project,
Tamil Nadu Electricity Board,
Tirunelveli.
- 2.The Superintending Engineer,
Tirunelveli Electricity Circle,
Maharaja Nagar, Tirunelveli.
- 3.The Executive Engineer,
Wind Farm Project,
Tamil Nadu Electricity Board,
Tirunelveli.
- 4.The Executive Engineer (Rural),
Tamil Nadu Electricity Board,
Tirunelveli.
- 5.Suzlon Gujara Wind Park Limited,
Rep. by its Manager,
Iyyakutty
- 6.Eveready Spinning Mills Pvt. Ltd.,
Rep. by its Manager,
Iyyakutty

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the representation of the petitioner dated 18.09.2017 to disconnect the electricity connection given to the 5th respondent cum 6th respondent "Wind Mill" in the petitioner's land in S.No.316 in patta No.953, Muthammalpuram Village, V.K. Pudur Taluk, Tirunelveli District.

For Petitioner : Mr.J.C.Rathnavel Pandian

For Respondents : Mr.G.Kasinathadurai,

Standing Counsel for R.1 to R.4



ORDER

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

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2. Mr.G.Kasinathadurai, learned Counsel, takes notice for respondents 1 to 4. Notice to the respondents 5 & 6 is dispensed with, as no adverse order is going to be passed against them and opportunity of hearing will be provided, at the time of hearing, by the authorities concerned.

3. According to the petitioner, the property in patta No.953, situated at Muthammalpuram Village, V.K.Pudur Taluk, Tirunelveli District belongs to him and several cases have been filed with regard to the title, which are said to be pending. It is the case of the petitioner that pending disposal of the same, the fifth and sixth respondents had obtained electricity connection to the subject mentioned property and aggrieved thereby, the petitioner has submitted a representation dated 18.09.2017 before the respondents 1 to 4, to disconnect the electricity connection and as the same is kept pending, without any action, the petitioner is before this Court.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner is disposed of by the authorities, on merits, within a stipulated time limit, for which, the learned Standing Counsel appearing for the respondents 1 to 4 has no serious objections.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 to 4 to consider the representation of the petitioner dated 18.09.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner and the fifth and sixth respondents as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

1.The Superintending Engineer,
Wind Farm Project,
Tamil Nadu Electricity Board,
Tirunelveli.

2.The Superintending Engineer,
Tirunelveli Electricity Circle,
Maharaja Nagar, Tirunelveli.

3.The Executive Engineer,
Wind Farm Project,
Tamil Nadu Electricity Board,
Tirunelveli.

4.The Executive Engineer (Rural),
Tamil Nadu Electricity Board,
Tirunelveli.

+1cc to M/S.J.C.RATHNAVEL PANDIAN, Advocate SR.No.84935
+1cc to M/S.G.KASINATHA DURAI, Advocate SR.No.84867

gk

MAS/JC/SAR2:08.11.2017:3P-7C

W.P. (MD) No.20081 of 2017
01.11.2017