



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21024 of 2017

Akbar Sulthan

.. Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), TNEB Complex, Old Bus Stand,
Thanjavur District.

2.The Executive Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), K.N.Palayam, Pattukottai,
Thanjavur District.

3.The Assistant Engineer (West),
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), Adhirampattinam,
Thanjavur District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to reactivate the electricity service connection number C 818 (3 Phase) in the petitioner's Welding Workshop in Survey No.336/18 situated in Aaripurakarai Village, Pattukottai Taluk, Thanjavur District, within a stipulated period, by considering the petitioner's representation, dated 21.09.2017.

For Petitioner

: Mr.M.M.Iqbal

For Respondents
1 to 3

: Mr.E.P.Venkateshwar
for Mr.S.M.S.Johnny Basha

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 to 3 to reactivate the electricity service connection in S.C.818 (3 Phase) in the petitioner's Welding Workshop situated in Survey No.336/18, Aaripurakarai Village, Pattukottai Taluk, Thanjavur District, based on his representation, dated 21.09.2017, within the time stipulated by this Court.



2.Mr.Mr.E.P.Venkateshwar, learned counsel for Mr.S.M.S.Johnny Basha, takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

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3.Heard both sides.

4.The case of the petitioner is that he is running a welding workshop in Survey No.336/18, Aaripurakarai Village, Pattukottai Taluk, Thanjavur District by using electricity service connection in S.C.No.818 (3 phase) continuously and he also constructed a building in 1173 square feet, out of 4200 square feet and since the Jamath Committee of Kothuba Pallivasal disturbed his possession, he filed a civil suit and the same has been ended in his favour and the Rent Control Proceedings filed by the said Jamath Committee also ended in his favour. During pendency of the civil proceedings, the respondents disconnected the said electricity service connection. Therefore, he made a detailed representation, dated 21.09.2017, for restoration of the same. Since, the same has not been considered so far, the petitioner is before this Court.

5.The learned counsel appearing for the petitioner would fairly submit that the petitioner needs to file a fresh representation to the respondents for restoration of electricity service connection and therefore, it would be suffice, if the representation of the petitioner to be filed by him, is directed to be considered by the respondents, as per law.

6.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the petitioner to submit a fresh representation along with a copy of this order to the respondents within a period of one week from the date of receipt of a copy of this order and on such filing, the respondents are directed to consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of four weeks, thereafter.

7.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar



To

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), TNEB Complex, Old Bus Stand,
Thanjavur District.

2.The Executive Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), K.N.Palayam, Pattukottai,
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3.The Assistant Engineer (West),
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO), Adhirampattinam,
Thanjavur District.

+One cc to Mr.M.M.Iqbal, Advocate, SR.No.90989

smn

RL/5C/3P/SKN/RSK/SAR4/26/12/2017

ORDER MADE IN

W.P (MD) No.21024 of 2017

05/12/2017