

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.3008 of 2018
and
WMP.No.3673 of 2018

K.Kuppan
Son of Krishnamoorthy

... Petitioner

.vs.

1. The Executive Engineer
Tamil Nadu Electricity Board
Arumbakkam
Chennai-600 106.

2. Mrs.Indirani Ammal
W/o.N.Subramanian

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the representation made by the petitioner dated 01.02.2018.

For Petitioner : Mr.K.Vijayakumar

For Respondents: Mr.P.R.Dilipkumar
standing counsel for R1

सत्यमेव जयते
O R D E R

Mr.P.R.Dilipkumar, learned standing counsel takes notice for the first respondent. Since this writ petition is being disposed of, without affecting the interest of the second respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the first respondent to consider his representation dated 01.02.2018, wherein and whereby, the petitioner requested the first respondent not to provide electricity service connection to the second respondent in respect of the property referred to in his representation dated 01.02.2018.

3. It is the case of the petitioner that the second respondent, who is not the owner of the property, is not entitled to get electricity service connection in respect of the subject matter property, while, the petitioner is the owner of the same.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, in view of the fact that it is for the first respondent to consider and decide, if any application is made by the second respondent for providing the electricity supply.

5. However, the learned standing counsel for the first respondent, based on a communication issued to the petitioner on 09.02.2018, by the Assistant Engineer, Koyambedu, Chennai-107, submitted that no electricity service connection is given in the name of the second respondent, and hence, the petitioner cannot have any grievance as of now. However, if any application is made by the second respondent for providing electricity supply, the first respondent will consider the objection raised by the petitioner and give an opportunity of hearing to the petitioner as well as the second respondent and pass appropriate orders on merits and in accordance with law. With the above observation, this writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

mk

To

1. The Executive Engineer
Tamil Nadu Electricity Board
Arumbakkam, Chennai-600 106.

+1cc to Mr.PR.Dhilip Kumar, Advocate SR.No.10557
+1cc to Mr.K.Vijaya Kumar, Advocate SR.No.11246

W.P.No.3008 of 2018

SKV (CO)
GN(22/02/2018)