

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3855 of 2018

P.Jothi

.. Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and
Distribution Circle
(TANGEDCO)
Anna Salai,
Chennai.

2. The Assistant Engineer,
Tamil Nadu Generation and
Distribution Circle
(TANGEDCO),
Narasingapuram,
Attur,
Salem District.

3. Ganesan

4. Vasantha

5. Lawrence Dass

6. Sakkarai

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to disconnect the electricity service connection Nos.559-004-851, 559-044-575, 559-004-808 and 559-004-620 obtained by the respondents 3 to 6 encroached in the petitioner's property.

For Petitioner: Mr.L.Rajendran

For Respondents: Mr.S.K.Rameshwar,
Standing Counsel
for R1 and R2.

O R D E R

Mr.S.K.Rameswar, learned standing counsel takes notice for the 1st and 2nd respondents. Since the writ petition is disposed of without affecting the interest of the respondents 3 to 6, notice to them is dispensed with.

2. The petitioner seeks for a direction to the 1st and 2nd respondents to disconnect the electricity service connection given to the respondents 3 to 6 by claiming that these private respondents have encroached upon the petitioner's land. Ventilating such grievance, the petitioner has made such request on 21.12.2017. The said representation was already rejected by the respondents on 30.12.2017. A lawyer notice was sent by the petitioner on 02.01.2018 seeking for disconnection of the power supply. The said notice was also rejected by the 2nd respondent on 08.01.2018. Both the proceedings are placed in the typed set of papers. When such being the position, I do not think that the petitioner is justified in seeking for a mandamus as stated supra without challenging those orders in a manner known to law. Therefore, the writ petition is disposed of without expressing any view on the merits of the matter, however, by granting liberty to the petitioner to challenge those proceedings in a manner known to law before the appropriate forum. No costs.

s/d-

Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

vsi

To

1. The Chairman,
Tamil Nadu Generation and
Distribution Circle
(TANGEDCO)
Anna Salai,
Chennai.

2. The Assistant Engineer,
Tamil Nadu Generation and
Distribution Circle
(TANGEDCO),
Narasingapuram,
Attur,
Salem District.

W.P.No.3855 of 2018

SP(05/03/2018)