

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.33133 of 2017
and
W.M.P.No.36539 of 2017

S.R. Venkataraman

... Petitioner

Vs.

1. The Chairman,
TANGEDCO, Anna Salai
Chennai 600 002.
Ariyalur, Ariyalur District.

2. The Assistant Engineer
(Operation and Maintenance),
TANGEDCO, Ambattur
Chennai 600 053.

3. L. Kuberan,
S/o. Loganadhan,
No.5, 1st Street, Railway Colony
Amjikarai, Chennai - 600 029.

.... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the Second Respondent to disconnect the electricity connection bearing No.433-014-1270 given in survey NO.36/2A2, T.S.No.55, No.21, Oragadam Village, Ambattur Taluk, Thiruvallur District ward NO.A, BBlock NO.33, Kumaran Street, Ram Nagar, Ambattur, Chennai 600 053, given in the name of the Third Respondent, in terms of the letter of the Second Respondent dated 25.10.2017 in Ka.No.U.Po / E&PA / Oragadam / Koppu.Kattu / A.No.211.

For Petitioner : Mr.Na.Malaisaravanan

For Respondents : Mr.P.R.Dhilip Kumar
Special Govt. Pleader
[For R1 & R2]
Mr.V.K.Rajagopalan [For R3]

O R D E R

The learned counsel for the Writ Petitioner states that the Third Respondent is a land grabber and encroached the land belongs to the Writ Petitioner. The Electricity connection was provided on account of the interim order passed in O.S.No.545 of 2012 by the District Munsiff Court, Ambattur.

2.The learned counsel for the Writ Petitioner now brought to the notice of this Court that the main suit itself was dismissed on merit dated 30.10.2013 by the District Munsif Court, Ambattur and therefore, the electricity connection provided based on the interim order has to be disconnected. In this regard the Writ Petitioner has submitted representations dated 29.04.2015 and 09.10.2017 to the Respondents 1 and 2. Since the electricity connection was provided based on the interim order passed in O.S. No. 545 of 2012 and now, a final judgement and decree was also passed in O.S. No. 545 of 2012 by the Court, which binds the Respondents 1 and 2.

3.In this view of the matter, the Second Respondent is directed to consider the representations on 29.04.2015 and 09.10.2017 submitted by the Writ Petitioner and pass orders on merits and in accordance with law within a period of six(6) weeks from the date of receipt of a copy of this order.

4.With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

maya

To

1. The Chairman,
TANGEDCO, Anna Salai
Chennai 600 002.
Ariyalur, Ariyalur District.

2. The Assistant Engineer
(Operation and Maintenance),
TANGEDCO, Ambattur
Chennai 600 053.

+1cc to Mr.V.K.Rajagopalan, Advocate Sr.55948
+1cc to Mr.A.Malaisaravanan, Advocate Sr.56785

W.P.No.33133 of 2017

srg 10/09/2018



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