

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29025 of 2014
and
M.P.Nos.1 & 2 of 2014

Devarajan .. Petitioner
Vs

1.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Achirupakkam Village,
Kanchipuram District.

2.The District Collector,
Kanchipuram District. ..Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in Na.Ka.No.123/14-15 dated 24.10.2014 and quash the same as illegal, incompetent, unconstitutional and further direct the respondent to provide electricity supply in S.No.112, S.No.112/3 and S.No.112/3B and thereby render justice.

For Petitioner : Mr.V.Raghavachari
For Respondents: Mr.S.K.Raameshuwar for R1
Mr.J.Ramesh, GA for R2

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is to set aside the order passed by the 1st respondent in proceedings dated 24.10.2014 and to provide electricity supply in S.No.112, S.No.112/3 and S.No.112/3B.

2.The learned counsel appearing on behalf of the writ petitioner states that in respect of the title of the writ petitioner, the Civil Court decree passed in O.S.No.115 of 2010 dated 18.12.2012 had been submitted before the respondents. This apart, the writ petitioner is in possession of the encumbrance certificate, showing the ownership of the property in which the electricity supply is sought for. However, in order to establish the title or otherwise, the writ petitioner

is at liberty to approach the respondents in person and explain the nature of the documents in order to establish the title in respect of the property.

3. In this view of the matter, the writ petitioner is at liberty to approach the respondents in person along with all other documents. In the event of approaching the respondents, the respondents are directed to consider the case of the writ petitioner based on the documents produced and take a decision and pass fresh orders on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

4. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Achirupakkam Village,
Kanchipuram District.

2. The District Collector,
Kanchipuram District.

+1cc to Mr.V.RAGHAVACHARI, Advocate, S.R.No.28656
+1cc to Mr.S.K.RAMESHUWAR, Advocate, S.R.No. 28668
+1cc to the Government Pleader, S.R.No. 28883

W.P.No.29025 of 2014

AK(CO)
TR(08/05/2018)