

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.24278 of 2018 and
W.M.P.No.28291 of 2018

1.M.Perumal
2.M.Sekar

... Petitioners

Vs

1.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Electricity Board,
Lakshmipuram Division, Chennai - 600 099.

2.The Joint Commissioner, HR & CE,
Hindu Religious And Charitable Endowment Board,
Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3.The Executive Officer,
Arulmigu Somanathaswamy Thirukoil,
Kolathur, Chennai - 600 099.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to provide electricity connection for the residence of the petitioners located in Door No: 24 and 7, Survey No: 69/1, Subash Nagar Extension, Buthagaram, Kolathur, Chennai - 600 099.

For Petitioners : Mr.S.Sai Shankar

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

: Mr.M.Maharaja,
Spl. Govt. Pleader for R2 & R3

O R D E R

The petitioners have come up with this writ petition to direct the first respondent to provide electricity connection to their residence Door No: 24 and 7, Survey No: 69/1, Subash Nagar Extension, Buthagaram, Kolathur, Chennai - 600 099.

2. The grievance of the petitioners is that the first respondent is not providing the electricity service connection to their residence, based on the objections raised by the second respondent. Hence, this writ petition has been filed.

3. Mr.M.Maharaja, learned Special Government Pleader appearing for the second respondent, on instructions, submitted that already an execution petition has been filed to evict the petitioners and other tenants and the same is pending and hence, the present relief need not be granted to the petitioners.

4. On the other hand, the learned counsel for the petitioners submitted that so long as the petitioners are residing in the aforesaid property, they are entitled to have the basic amenity viz., electricity service connection and therefore, the petitioners are agreed to have the electricity service connection even in the name of the second respondent.

5. Considering the above stated facts and circumstances and also having regard to the submissions made by the learned counsel appearing for the respective parties, this Court is of the view that there can be no impediment for the first respondent or the second respondent for providing the electricity supply to the petition mentioned premises, pending eviction proceedings.

6. Accordingly, the writ petition stands disposed of with a direction to the first respondent to provide the electricity connection for the petition mentioned premises in the name of the second respondent, after collecting necessary charges from the petitioners, within a period of two weeks from the date of receipt of a copy of this order. It is needless to state that the order passed in this writ petition shall not be taken advantage by the petitioners in any manner in the other proceedings initiated by the second respondent pending against them. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gsk

To

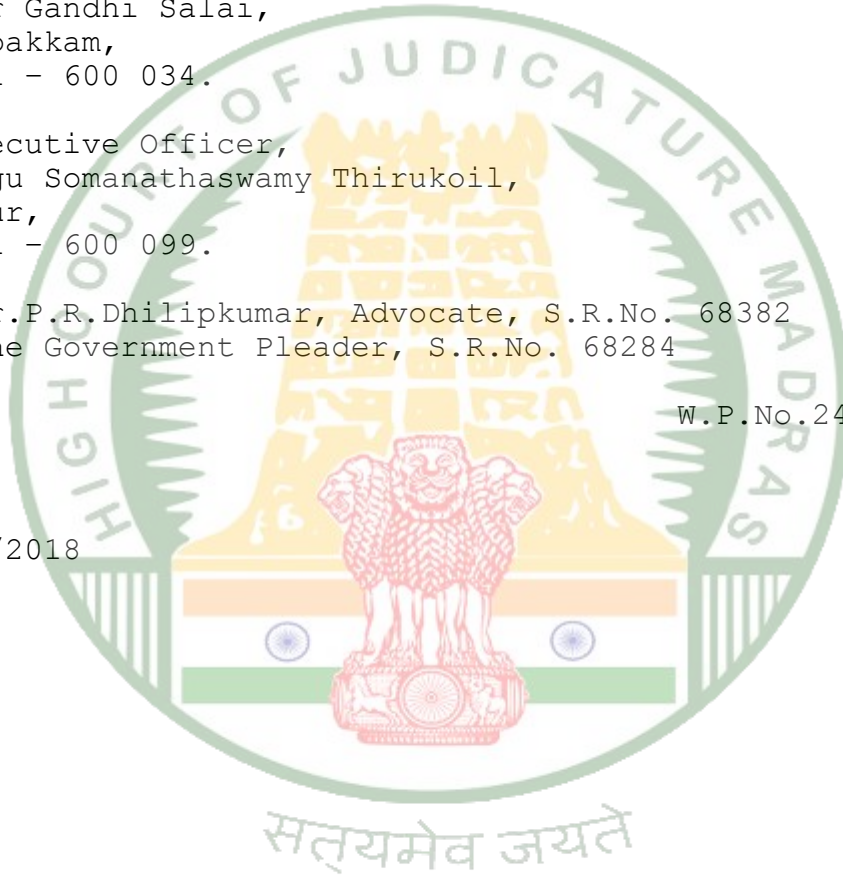
1. The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Electricity Board,
Lakshmipuram Division,
Chennai - 600 099.
2. The Joint Commissioner, HR & CE,
Hindu Religious And Charitable Endowment Board,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.
3. The Executive Officer,
Arulmigu Somanathaswamy Thirukoil,
Kolathur,
Chennai - 600 099.

+lcc to Mr.P.R.Dhilipkumar, Advocate, S.R.No. 68382
+lcc to the Government Pleader, S.R.No. 68284

W.P.No.24278 of 2018

NRL (CO)

rrs 12/11/2018



WEB COPY