

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.19579 of 2018

Kalaigarnar

.. Petitioner

Vs.

1.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Peralam, Tiruvarur District.

2.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO, Peralam Sub Station,
Tiruvarur District.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd respondent to provide electricity connection to the petitioner house site in Door No.160, North Street, Menangudi, Tiruvarur District pursuant to the petitioner representation dated 12.07.2018.

For Petitioner : Mr.M.Subash

For Respondents: Mr.P.Gunaraj, Standing Counsel

O R D E R

The petitioner seeks a direction to the 2nd respondent to provide electricity connection to the petitioner house site in Door No.160, North Street, Menangudi, Tiruvarur District on the basis of the petitioner's representation dated 12.07.2018.

2.The learned counsel for the petitioner submitted that there was a unregistered Sale Agreement dated 04.10.2012 between the petitioner and his vendor. Although the said unregistered Sale Agreement was entered 6 years ago, the petitioner made an application on 06.04.2018 on the basis of the said unregistered Sale Agreement claiming rights over the property in question seeking electricity service connection. But till date, the 2nd respondent had not responded to the request of the petitioner. Hence, the petitioner has come this Court by filing this Writ Petition.

3.This Court is of the view that the present Writ Petition is to be dismissed inlimine with cost, for the reason that the petitioner possess no right in the property, for which he has made an application in the aforementioned representation to provide electricity service connection. When there is not even a registered Sale Agreement or any iota of evidence indicating that the petitioner is the lawful owner of the property, he should not have approached the 2nd respondent on the basis of the unregistered Sale Agreement that was entered before 6 long years. Therefore, this Court finds that a vexatious Writ Petition has been filed without any legal rights. Therefore, the Writ Petition fails and the same is dismissed.

4.Considering the repeated requests made by the learned counsel for the petitioner, this Court is not imposing cost on the petitioner. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

va

To

1.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Peralam,
Tiruvarur District.

2.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO, Peralam Sub Station,
Tiruvarur District.

+1cc to Mr.M.Subash, Advocate Sr.52754

W.P.No.19579 of 2018

vsnii[co]
srg 21/08/2018