

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.11.2018

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30897of 2018

M.Tirupathi

.. Petitioner

versus

1.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
Lakshmi Puram 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 - 600 009.

... 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 petitioner's located in No.25/2, Subash Nagar, Gokul Street, Buthagaram, Kolathur, Chennai - 600 099.

For Petitioner : Mr.S.Sai Shankar

For R1 : Mr.P.R.Dilip Kumar

For RR2 & 3 : Mr.M.Maharaja

Special Government Pleader (HR & CE)

O R D E R

The prayer in the writ petition is seeking a direction to the first respondent to provide electricity connection for the

residence of the petitioner located in No.25/2, Subash Nagar, Gokul Street, Buthagaram, Kolathur, Chennai - 600 099.

2. The petitioner is residing in the property belonging to the third respondent temple. It is stated that the second and third respondents have initiated proceedings under Section 78 of the Hindu Religious and Charitable Endowment Act. It is stated that though proceedings have been initiated against the petitioner as well as other residents, the petitioner alone was not provided with electricity service. They have made an application to grant electricity to their residence, but the same has not been provided.

3. In similar circumstances, this Court has passed an order in W.P.No.26235 of 2017 dated 10.10.2017 directing the first respondent to provide the electricity connection, the same being the basic amenity with certain directions.

4. As the temple is the owner of the property, considering the facts and circumstances, there cannot be any difficulty in providing electricity service connection to the petition mentioned premises pending the proceedings. However, the same may be given in the name of the temple-third respondent. Accordingly, the first respondent is directed to provide electricity connection for the petition mentioned premises in the name of the third respondent, after collecting necessary charges from the petitioner and such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. It is also made clear that the order passed in this writ petition cannot be taken advantage of by the petitioner in any manner, and the electricity power supply is directed to be restored only of sympathetic ground.

5. With the above direction, the writ petition is disposed of. No Costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
Lakshmi Puram Division, Chennai - 600 099.

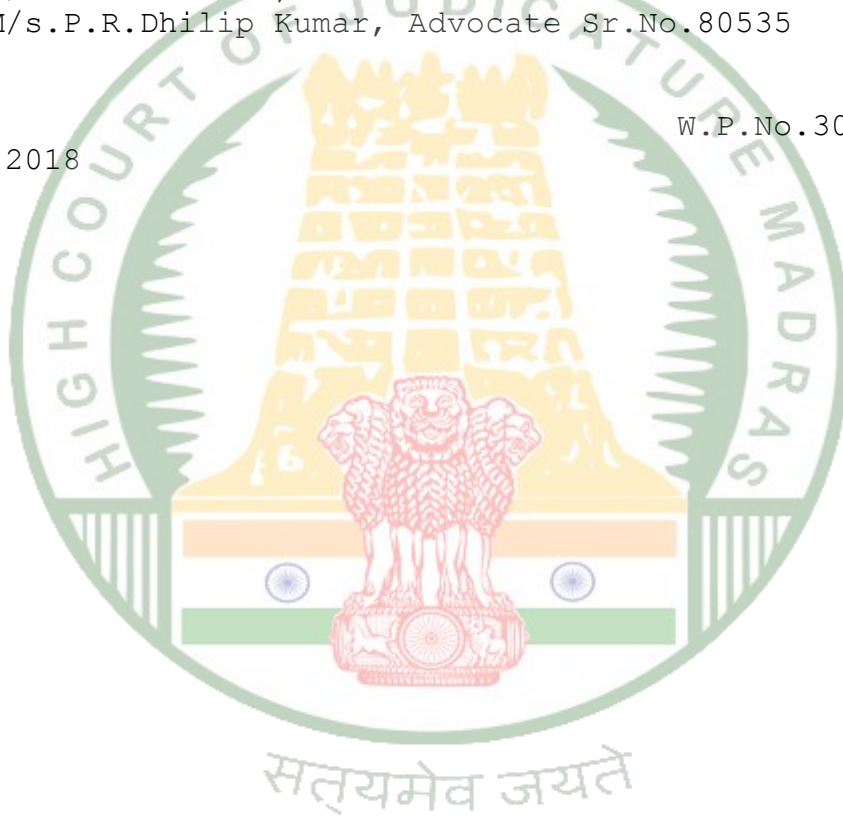
2.The Joint Commissioner HR & CE,
Hindu Religious and Charitable Endowment Board,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

3.The Executive Officer,
Arulmigu Somanathaswamy Thirukoil,
Kolathur,
Chennai - 600 009.

+1 cc to The Government Pleader (HR & CE), Sr.No.80104
+1 cc to M/s.Sai Shankar, Advocate Sr.No.80376
+1 cc to M/s.P.R.Dhilip Kumar, Advocate Sr.No.80535

CSL/27.11.2018

W.P.No.30897 of 2018



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