



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.18334 of 2018

and

W.M.P.(MD) No.16226 of 2018

Nila Mineral Water
Plot No.48, Anbalagan Nagar
Perungudi, Madurai-625 022
rep.by its Proprietor M.Kanmani

... Petitioner

vs.

1. The District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
Madurai District, Madurai.
3. The Tahsildar,
Perungudi, Madurai District.
4. The Village Administrative Officer,
Perungudi, Madurai District
5. The Superintending Engineer,
TANGEDCO, Madurai Electricity,
Distribution Circle, Madurai.
6. The Executive Engineer,
TANGEDCO, East Thirupalai,
Madurai.
7. The Assistant Executive Engineer,
TANGEDCO, Avaniyapuram,
Madurai.
8. The Assistant Engineer,
TANGEDCO, Perungudi,
Madurai.

... Respondents



respondents 1 to 4 from interfering in the business of the petitioner at Plot No.48, Anbalagan Nagar, Perungudi, Madurai-625 022 and forbearing the respondents 5 to 8 from disconnecting the electricity service connection in SC No.05-064-014-331 without due process of law.

For Petitioner : Mr.R.Murali

For Respondents: Mr.A.Muthu Karuppan

Additional Government Pleader for R1 to R4

M/s.M.Rajeswari for Mr.SMS.Johnny Basha,
for R5 to R8

O R D E R

The prayer in this writ petition is to direct the the respondents 1 to 4 to forbear from interfering with the business activities of the petitioner being run in the premises situated at Plot No.48, Anbalagan Nagar, Perungudi, Madurai-625 022 and to direct the respondents 5 to 8 to forbear from disconnecting the electricity service connection bearing SC No.05-064-014-331, without due process of law.

2. According to the petitioner, the respondents are threatening that they would take action towards closure of the Unit run by her. In view of the imminent threat of the Unit being closed, the petitioner is before this Court.

3. Although certain averments have been incorporated in the affidavit in regard to the action taken by the respondents, this Court is unable to see any specific cause of action to order notice to the respondents in this writ petition muchless admitting the case.

4. Merely on the basis of some apprehension, this Court's extraordinary jurisdiction under Article 226 of the Constitution of India cannot be invoked so casually for the asking. It is always open to the petitioner to seek appropriate remedy in the manner known to law, if any adverse action is taken against her by the respondents and it is certainly not open to her to file writ petition merely on the basis of apprehension and invoke the special jurisdiction of this Court under Article 226 of the Constitution of India.

5. This Court is, therefore, of the considered view that the writ petition is pre-mature and hence, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.



/True Copy/

Sub Assistant Registrar (CS-I)

To:
WEB COPY

1. The District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
Madurai District, Madurai.
3. The Tahsildar,
Perungudi, Madurai District.
4. The Village Administrative Officer,
Perungudi, Madurai District.

+ 1 CC TO Mr.S.M.S.JOHNNY BASHA, ADVOCATE IN SR No. 79877
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79953

KRK

TE/SKN/SAR-1 : 10/09/2018 : 3P/7C

W.P.(MD) No.18334 of 2018 and
W.M.P.(MD) No.16226 of 2018
23.08.2018