

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.19052 of 2011

ORDER:

The proceedings under challenge, in this Writ Petition, is the letter of the Additional Assistant Engineer, Operation, Asmangadh dated 09.03.2011, wherein the plea put forward by the petitioner that he was not selling water for commercial purpose, and was using the bore-well for his personal use, was found incorrect. The said order passed by the Additional Assistant Engineer dated 09.03.2011 was pursuant to the order of this Court in W.P.No.30442 of 2010 dated 22.12.2010 directing him to pass an order assigning reasons for disconnecting the service connection of the petitioner.

In the said order, the Additional Assistant Engineer observed that the service connection was given for the bore-well only for personal use; if it was so used, the power bill would be only the minimum; there was an abnormal increase in consumption of power; and it was evident that the bore-well was being used for a number of hours for extracting water, and its sale for commercial purposes.

While the Writ Petition was admitted, no interim order was passed. Consequently, cancellation of the service connection, as stated in the impugned letter dated 09.03.2011, is still in force. In proceedings, under Article 226 of the Constitution of India, this Court would not sit in judgment over the order passed by the competent authority and, save perversity, no interference is called for. The order, impugned in this Writ Petition, cannot be said to be perverse.

The Writ Petition fails and is, accordingly, dismissed. The Miscellaneous Petitions pending, if any, shall also stand closed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:13-04-2018.
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