

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

Writ Petition No.21145 of 2013

K.Palanivel

... Petitioner

Vs

Assistant Engineer, O&M,
Paadi, O & M
CEDC/West, 230 KVA,
SS Complex, Chennai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in KA.No.VUPO/E&PA/PAADI/KO KATTU/KA.No.113/2013 dated 10.07.2013 and quash the same as illegal without jurisdiction and non-est in law and consequently, forbear the respondent from interfering with the petitioner right to avail basic amenities of electricity service in Service Connection bearing No.039/022/2471.

For Petitioner : Mr.B.Vijay

For Respondent : Mr.P.R.Dhilipkumar

O R D E R

Challenging the correctness of the impugned notice dated 10.07.2013 calling upon the petitioner to submit the title and ownership documents showing that he is the owner of the land-in-question to which electricity service connection was provided in Service Connection bearing No.039/022/2471 since a complaint has been given by one Mr.M.Raju, the present Writ Petition has been filed.

2. Learned Counsel appearing for the petitioner submitted that when the contents of the complaint given by one M.Raju has not been disclosed to the petitioner in the notice, they cannot ask for production of title and ownership documents from the petitioner in respect of the land to which electricity service connection has been given. Therefore, the impugned order is liable to go, it is pleaded.

4. Learned Standing Counsel appearing for the respondent after reading paragraphs 3 and 4 of the counter affidavit stated that since the respondent has made it clear that they are not concerned with the dispute between the petitioner and the said M.Raju for the reason that the petitioner is enjoying the service connection A/c.No. 039/022/2471 from 1994 and so long as the petitioner pays the current consumption charges, the respondent is not inclined to disconnect the supply. The learned Standing Counsel further submitted that recording the above, the Writ Petition may be closed.

5. In view of the fact that the petitioner is enjoying the Electricity Service Connection No.039/022/2471 from 1994 till date by paying regularly current consumption charges, accepting the stand taken by the respondent in their counter that they are not going to disconnect the electricity service connection of the petitioner, the Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

tsi

To

The Assistant Engineer, O&M,
Paadi, O & M,
CEDC/West, 230 KVA,
SS Complex, Chennai.

+lcc to Mr.B.Vijay, Advocate, S.R.No. 93250

+lcc to Mr.P.R.Dilip Kumar, Advocate, S.R.No. 93244

EV(CO)
GN(31/12/2019)

W.P.No.21145 of 2013

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