

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.4568 of 2019

R.Vanitha Sivagama Sundari

...Petitioner

Versus

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
NPKRR Maligai,
No.144, Annasalai, Chennai-2.
2. The Executive Engineer (Operation & Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Thiruninravur, Chennai-24.
3. The Assistant Electrical Engineer
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited, Pattabiram,
Chennai-72.

.... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to provide the Electricity Connection to the respective petitioner's houses at No.12/1A, Valliammal Street, Sasthiri Nagar, Pattabiram, Chennai-72.

For Petitioner : Mr.T.Saravanan
For Respondents : Mr.P.R.Dhilipkumar

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O R D E R

Mrs.R.Vanitha Sivagama Sundari, the petitioner herein has come to this Court with unclean hands by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to provide the Electricity Connection to the respective petitioner's houses at No.12/1A, Valliammal Street, Sasthiri Nagar, Pattabiram, Chennai-72,

concealing the fact that the same prayer made in W.P.No.30427/2018 was already rejected by this Court by order dated 11.12.2018

2. In the order passed in W.P.No.30427/2018 dated 11.12.2018, it has been recorded that the petitioner has been in occupation of the Reserved Forest land. Therefore, when she asked for the same prayer to provide electricity service connection to the respective petitioner's houses at No.12/1A, Valliammai Street, Sasthiri Nagar, Pattabiram, Chennai-72, the same was rejected on the ground that the petitioner is in occupation of Reserved Forest Area. But, concealing the said fact, within 3 months of withdrawal of the said writ petition, the present Writ Petition has been filed without any regard or respect to the court proceedings.

3. Mr.P.R.Dhilip Kumar, learned Standing Counsel for the respondents strongly objected the maintainability of the present Writ Petition, since the petitioner has already filed a similar writ petition, that the same was dismissed and that the said fact was also suppressed by the petitioner. The learned Standing Counsel, by producing an order dated 11.12.2018 made in the petitioner's earlier Writ Petition in W.P.No.30427 of 2018, also sought for imposition of any costs.

4. At this stage, the learned Counsel for the petitioner seeks permission of this Court to withdraw the writ petition.

5. The same prayer was already rejected by this Court. Suppressing the same, this Writ Petition should not have been filed, therefore, this Court is not inclined to entertain this writ petition nor allow the prayer for withdrawal. Hence, while dismissing the writ petition, this Court is constrained to impose a cost of Rs.10,000/- (Rupees Ten Thousand Only) for wasting the valuable time of this Court by concealing the fact that the same prayer has already been rejected by this Court, to be payable by the petitioner to the Legal Aid Committee attached to the High Court, Madras, within a period of two weeks from today.

6. Post the matter after two weeks for 'reporting compliance.'

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited,
NPKRR Maligai,
No.144, Annasalai, Chennai-2.
2. The Executive Engineer (Operation & Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Thiruninravur, Chennai-24.
3. The Assistant Electrical Engineer
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited, Pattabiram,
Chennai-72.

Copy TO

The Legal Aid Committee,
High Court, Madras.

+1cc to Mr.T.Saravanan, Advocate, S.R.No. 15682
+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No. 14964

PM(CO)
GN(20/03/2019)

W.P.No.4568/2019

सत्यमेव जयते

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