

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2019

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.23721 of 2017

N.Ravi

.. Petitioner

Vs

1.The Divisional Engineer,
Tamil Nadu Electricity Board,
Anna Nagar,
Chennai - 40.

2.Assistant Engineer, O&M/Padi,
Tamil Nadu Electricity Board,
230 KVA, SS Complex,
CEDC/West Chennai - 50.

3.N.Rajendran
(R3 was impleaded vide order dt.12/12/18
passed in WMP.No.2/18 in W.P.No.23721/17
by KRCBJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India seeking a writ of mandamus to direct the
second respondent to provide electricity service connection at
Survey No.1128/1, Plot No.21 No.202, M.T.H.Road, Padi, Chennai -
600 050.

For petitioner : Mr.N.Saravanan

For R1 & R2 : Mr.P.R.Dhilipkumar,
Standing Counsel

For R3 : Mr.A.K.R.Ravi

ORDER

The petitioner has filed this writ petition seeking
for issuance of a writ of mandamus to direct the second
respondent / Assistant Engineer, O&M (Padi), Tamil Nadu
Electricity Board, Chennai, to provide electricity service

connection at Survey No.1128/1, Plot No.21 No.202, M.T.H.Road, Padi, Chennai - 600 050.

2. It is submitted by the learned counsel for the petitioner that the petitioner's mother was issued with a patta on 18.08.2016 by the Revenue Authorities to an extent of 3 cents situated at Survey No.1128/1, Korattur Village. However, the second respondent had refused to grant electricity service to the petitioner's house and therefore, when the petitioner's mother filed a W.P.No.8858 of 2014 seeking a direction to the second respondent to provide electricity service connection to her house, this Court, by order dated 03.11.2014, disposed of the said writ petition with a direction to the petitioner's mother to submit her application along with necessary documents. However, unfortunately, his mother expired on 06.01.2015 and therefore, the petitioner had submitted his application on 06.08.2015, but, the respondent has again refused to provide electricity service connection to the petitioner's house.

3. Per contra, learned counsel for the third respondent urged this Court to dismiss the writ petition on the ground that when the Civil Suit in O.S.No.65 of 2016 filed by the petitioner against his own sisters is pending on the file of III Additional District Court at Poonamallee, the petitioner ought to have impleaded all those defendants in the present writ petition as parties necessary to the proceedings and therefore, for non-joinder of the necessary parties, the writ petition is liable to be dismissed.

4. I also fully agree with the above said submission. When the Civil Suit is pending in O.S.No.65 of 2016 between the petitioner and his sisters, it is not known how he has filed the present writ petition behind their back without impleading them as necessary parties to the proceedings. Therefore, on this count, for non-joinder of necessary parties and for coming to this Court with unclean hands, the writ petition stands dismissed. No Costs.

सत्यमेव जयते
Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

rkm

To

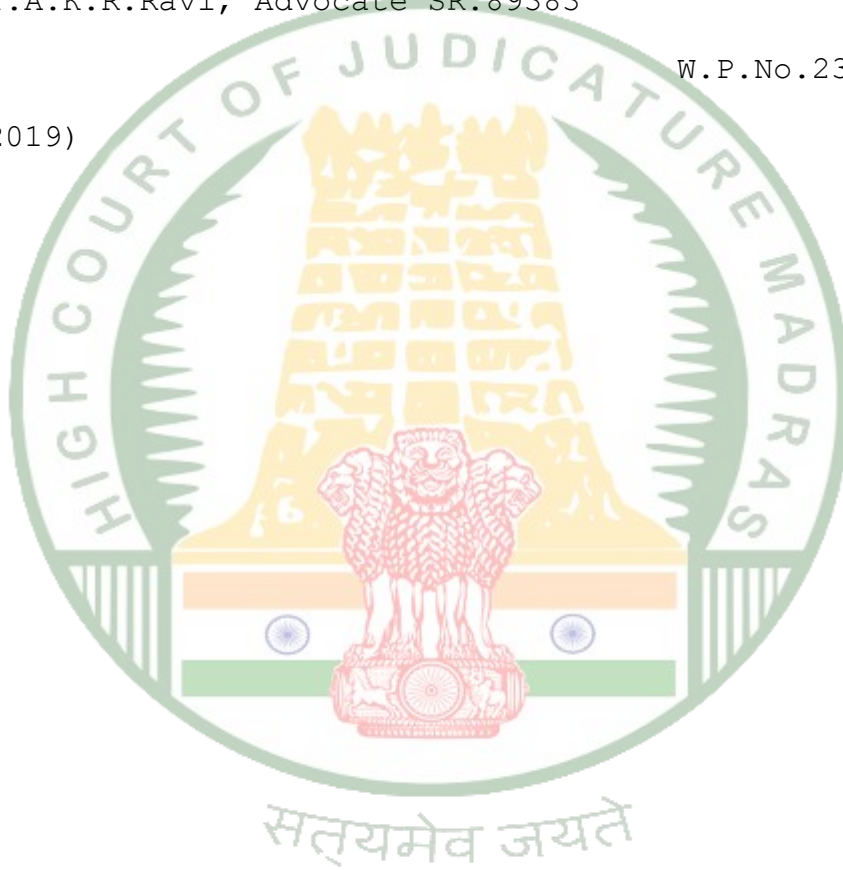
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+lcc to Mr.A.K.R.Ravi, Advocate SR.89383

W.P.No.23721 of 2017

SJ(CO)
CB(02/12/2019)



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