



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9493 of 2020

and

W.M.P. (MD)No.8573 of 2020

WEB COPY

P.Daneswaran

... Petitioner

Vs.

1.The Chairman,

Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Mount Road, Chennai-2.

2.The Chief Engineer,

Tamil Nadu Electricity Generation and
Distribution Corporation,
Pudhur, Backside of District Court Building,
Madurai.

3.The Superintending Engineer,

Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Meenakshinaickanpatti,
Dindigul.

4.The Assistant Engineer,

Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Door No.7-1-139,
Thandikudi Main Road,
Oorlapatti, Pannaikadu,
Kodaikanal Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 15.07.2019 and direct the fourth respondent to hand over the premises in D.No.7-1/139, Thandikudi Main Road, Ooralpatti, Pannaikadu, Kodaikanal Taluk, Dindigul District to the petitioner within a stipulated time prescribed by this Court.

For Petitioner

: Ms.S.Devasena



O R D E R

Heard the learned counsel appearing for the writ petitioner.

2.The petitioner is a practising Lawyer. He is a senior citizen. He had let out his premises in favour of TNEB.

3.The petitioner's counsel states that the lease period is over. The petitioner requires the premises for his own occupation. Though the respondents assured that they would vacate the premises, they have not done so. The respondents have also not paid rent for the last several months. Therefore, the Writ Petition has been filed for consideration of the petitioner's representation and for directing the fourth respondent to hand over the petition mentioned premises.

4.I fail to understand as to how the Writ Petition is maintainable. The writ petitioner wants to refer to a decision of the Hon'ble Allahabad High Court. This is purely a landlord tenant dispute. The petitioner as the landlord wants possession of the premises. If that be so, the petitioner has to file an ejectment suit against the respondents. Filing of the Writ Petition is clearly misconceived. There is no public law element in this case. Hence, leaving open the petitioner's rights and contentions, the Writ Petition is dismissed at the admission stage *in limine* and without notice to the respondents. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



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