



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.15879 of 2020

(Through Video Conference)

WEB COPY

A.Irudhaya Rajini

... Petitioner

Vs.

- 1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Sivagangai,
Sivagangai District.
- 2.The Executive Engineer,
Tamil Nadu Electricity Board,
Karaikudi,
Sivagangai District.
- 3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Devakottai,
Sivagangai District.
- 4.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
- 5.S.Manimangalam
- 6.S.Bharathamani
- 7.D.Elango

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to restore the electricity service connection bearing No.054150051068 consequently, direct the respondents 1 to 4 to take appropriate action against the respondents 5 to 7 by considering the petitioner's representation dated 13.10.2020 within the stipulated period.

For Petitioner	: Mr.K.Rajeshwaran
For R-1 to R-3	: Mr.S.M.S.Johny Basha Standing Counsel
For R-4	: Mr.C.Ramar, Additional Government Pleader



ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the respondent Nos.1 to 3, to restore the electricity service connection bearing No.054150051068 and consequently, direct the respondent Nos.1 to 4, to take appropriate action against the respondent Nos.5 to 7, by considering the petitioner's representation dated 13.10.2020, within the time frame to be fixed by this Court.

2. It is the case of the petitioner that the respondent Nos.5 to 7 with the aid of henchmen, have disconnected the electricity service connection of the petitioner bearing No.054150051068 on 09.08.2020 with a malafide intention to illegally evict the petitioner from the subject property. According to the petitioner, she is a tenant under the seventh respondent and has been paying the monthly rents to him without committing any default.

3. According to the petitioner, she has also given a representation to the respondent Nos.1 to 3 on 13.10.2020, to restore the electricity service connection and also to take action against the respondent Nos.5 to 7, for having illegally disconnected the electricity service connection. In such circumstances, this writ petition has been filed.

4. On the previous hearing date on 10.11.2010, Mr.S.M.S.Johny Basha, learned standing counsel accepted notice on behalf of the respondent Nos.1 to 3 and Mr.C.Ramar, learned Additional Government Pleader accepted notice on behalf of the fourth respondent. Notice was also issued to the private respondents, namely, the respondent Nos.5 to 7 returnable by 10.12.2020. On 10.12.2020, since this case was not heard, it was adjourned to today (16.12.2020).

5. The petitioner has also sent a notice to the private respondents, namely, the respondent Nos.5 to 7 in this writ petition, as directed by this Court vide order dated 10.11.2020 and the said notice has been returned with an endorsement "insufficient address and door locked".

6. Since the petitioner seeks for restoration of electricity service connection, which had been admittedly disconnected, there is some urgency in this matter and the request for electricity service connection will have to be necessarily considered even before receipt of notice by the private respondents, namely, the respondent Nos.5 to 7.

7. Today, the learned standing counsel for the respondents has placed before this Court, the instructions received from the respondent Nos.1 to 3, wherein it has been stated that both the



petitioner as well as the respondent Nos.5 to 7, are denying that they had removed the electricity meter box from the petitioner's house.

8. It is also represented by the learned standing counsel for the respondent Nos.1 to 3 that a complaint has also been lodged with the fourth respondent police for the theft of electricity meter box from the petitioner's house. It is further submitted that a direction will have to be issued to the fourth respondent police to investigate the complaint lodged by the respondent Nos.1 to 3 with regard to the theft of electricity meter box from the petitioner's house. However, with regard to the restoration of electricity service connection to the petitioner's house is concerned, it is submitted that on payment of all the necessary charges including payment of cost for the purchase of new electricity meter box, the third respondent is prepared to restore the electricity service connection to the petitioner's house. For this submission, the learned counsel for the petitioner on instructions would submit that the petitioner is willing to bear all the charges demanded by the third respondent for the restoration of the electricity service connection to the petitioner's house.

9. After hearing the submissions of the learned counsel for the petitioner as well as the learned standing counsel for the respondent Nos.1 to 3, this Court directs the third respondent to restore the electricity service connection bearing No.054150051068 to the petitioner's house, subject to payment of all the charges by the petitioner, which includes the cost for the purchase of a new electricity meter box by the petitioner. On such payment being made, the third respondent shall restore the electricity service connection within a period of two weeks.

10. This Court also directs the fourth respondent to investigate the complaint lodged by the petitioner with regard to missing of electricity meter box from the petitioner's house, within a period of four weeks from the date of receipt of a copy of this order.

11. With the aforesaid directions, this writ petition is disposed of. No Costs.

Sd/-

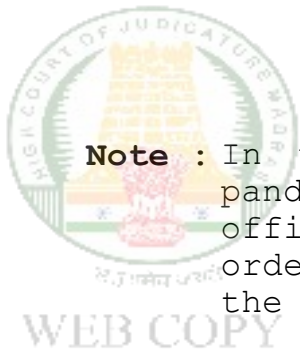
Assistant Registrar(T & P)

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/ /2020

Sub Assistant Registrar(CS)

pm



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.

To:

- 1.The Superintending Engineer,
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- 2.The Executive Engineer,
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- 4.The Inspector of Police,
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Sivagangai District.

+1 CC to M/s.GP (SR-26066[F] dated 17/12/2020)

Order made in
W.P. (MD)No.15879 of 2020
Dated: **16.12.2020**

TP (CO)
TR(17.12.2020) 4P 6C