



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.13629 of 2015 & M.P. (MD) No.1 of 2015

(Through Video Conference)

A.C.S.M.Subramanian

... Petitioner

Vs

1) The Superintendent Engineer,
Tamil Nadu Electricity Board,
Pudukottai District.

2) The Executive Engineer,
Tamil Nadu Electricity Board,
Aranthangi, Pudukottai District.

3) The Assistant Engineer,
Tamil Nadu Electricity Board,
Nagudi Post, 614 616,
Aranthangi Taluk, Pudukottai District.

4) R.Muthumani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from disconnecting or transferring electricity service connection in Service Connection Nos.566, 595, 609 situated in Door No.3/345, 345/1, 345/2, Subramaniyapuram Main road, Nagudi Post 614 616, Aranthangi Taluk, Pudukottai District.

For Petitioner: Mr.J.Maria Rubit
For Mr.R.Maheswaran

For RR 1 to 3 : Mrs.Rajeswari,
For Mr.S.M.S.Johnny Basha,
Standing counsel

For R4 : No Appearance



O R D E R

Mrs.Rajeswari, learned counsel appearing on behalf of Mr.S.M.S.Johnny Basha, learned standing counsel for the respondent Electricity Board, accepts notice for the respondents 1 to 3.

2. This writ petition has been filed for a mandamus to forbear the respondents from disconnecting or transferring the electricity service connection in Service Connection Nos.566, 595 and 609 situated in Door No.3/345, 345/1, 345/2, Subramaniyapuram Main road, Nagudi Post 614 616, Aranthangi Taluk, Pudukottai District.

3. Mrs.Rajeswari, learned counsel appearing on behalf of Mr.S.M.S.Johnny Basha, learned standing counsel for the respondent Electricity Board, on instructions, would submit that the petitioner has been regularly paying the electricity charges to the respondents. Therefore, the respondents do not have the intention of disconnecting the petitioner's electricity service connection.

4. It is the contention of the petitioner as seen from the affidavit filed in support of the writ petition that, at the behest of the fourth respondent, the respondents 1 to 3 were attempting to disconnect the petitioner's electricity service connection.

5. The fourth respondent has been duly served with notice and his name is also printed in the cause list today. However, there is no representation on his side.

6. Since the respondents 1 to 3 have given a clear undertaking through their standing counsel that they do not intend to disconnect the electricity service connection of the petitioner, the apprehension of the petitioner as raised in this writ petition is uncalled for. Therefore, after recording the submissions made by the learned standing counsel that the respondents 1 to 3 do not have the intention to disconnect the electricity service connection of the petitioner at Door Nos.3/345, 345/1, 345/2, Subramaniyapuram Main road, Nagudi Post 614 616, Aranthangi Taluk, Pudukottai District, this writ petition is closed.

7. However, it is made clear that the petitioner shall continue to pay the actual electricity consumption charges to the respondents 1 to 3 without committing any default and as and when there is any default, the respondents 1 to 3 are given liberty of take action against the petitioner for the same, in accordance with law.



8. With these observations, this writ petition stands closed. However, there shall be no order as to costs. Consequently, connected M.P.(MD) No.1 of 2015 is closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Superintendent Engineer,
Tamil Nadu Electricity Board,
Pudukottai District.
- 2) The Executive Engineer,
Tamil Nadu Electricity Board,
Aranthangi, Pudukottai District.
- 3) The Assistant Engineer,
Tamil Nadu Electricity Board,
Nagudi Post, 614 616,
Aranthangi Taluk, Pudhukottai District.

+1 CC to M/s.R.MAHESHWARAN, Advocate (SR-20967[F] dated 03/11/2020)

Order made in
W.P. (MD)No.13629 of 2015

Dated:
02.11.2020

SR (CO)
NR (19/11/2020) 3P : 5C