



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.08.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH., J

W.P.No.3763 of 2021  
and WMP No.3311 of 2021

1. L.Rasaiyan
2. Thiru Jaganathan

... Petitioners

Vs

- 1.The Executive Engineer,  
TANGEDCO/O & M, porur,  
SRMC, SS Complex,  
Chettiyar Agaram, Porur, Chennai 600 116.

- 2.The Assistant Executive Engineer,  
TANEDCO/O & M Poonamallee,  
Avadi Road, Chennai 600 056.

- 3.The Junior Engineer,  
TANGEDCO, Pariwakkam,  
Thandarai Main Road, Chennai 600 056.

... Respondents

Prayer :: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to provide new domestic electricity service connection in respect of our property measuring an extent of about 1800 Sq.ft. In S.No.240, Pariwakkam Village, Kalaingar Nagar, Chatiram, Dhandurai Main Road, Parivakkam, Poonamalle (P.O), Chennai 600 056 as requested in my application dated 29.12.2020.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.L.Jai Venkatesh  
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to provide domestic electricity service connection to the petitioners with respect to the subject property after considering the representation made by the petitioners on 29.12.2020.



2. When the matter came up for hearing on 10.08.2021, this Court passed the following order:-

The learned Standing Counsel based on the written instructions received from the 2<sup>nd</sup> respondent submitted that an objection was made by one Sathish to the effect that he had filed a suit in O.S.No.255 of 2009 against the 1<sup>st</sup> petitioner and the suit ended in his favour and thereafter, there is yet another suit filed in OS No.511 of 2016 before the District Munsif Court, Poonamallee and the suit is pending and the petitioners by concealing these facts have approached this Court and filed the present writ petition. When this was brought to the notice of the learned counsel for the petitioner, he seeks for some time to take instructions from his clients.

2.It is made clear that if the suits pertain to the subject property in the writ petition, this Court will dismiss this writ petition on the simple ground that the petitioners have approached this Court by concealing facts. If not, further orders will be passed in this writ petition.

3.Post this case under the caption 'For Orders' on 18.08.2021.

3. When the matter was taken up for hearing today, an Additional typed set of papers has been filed and it is seen from the documents that there is an appeal pending in A.S.No.8 of 2015. The learned counsel for the petitioner sought permission of this Court to withdraw this writ petition. The permission is granted and the writ petition is dismissed as withdrawn and it is left open to the petitioner to work out his remedy in the pending Appeal. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rka



To

1.The Executive Engineer,  
TANGEDCO/O & M, porur,  
SRMC, SS Complex,  
Chettiyar Agaram, Porur, Chennai 600 116.

2.The Assistant Executive Engineer,  
TANEDCO/O & M Poonamallee,  
Avadi Road, Chennai 600 056.

3.The Junior Engineer,  
TANGEDCO, Pariwakkam,  
Thandarai Main Road, Chennai 600 056.

+1cc to Mr.S.Pushpakaran, Advocate Sr No.41346

+1cc to Mr.L.Jai Venkatesh, Advocate Sr No.41606

W.P.No.3763 of 2021

PMK (CO)  
PR (06/09/2021)