

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

W.P.No.26812 of 2016
and W.M.P.No.23040 of 2016

C.Sathia Narayanan,
S/o.Chinnathambu Naidu

... Petitioner

Vs.

1.The Chairman (TANGEDCO),
Tamilnadu Electricity Board,
Anna Salai, Chennai - 600 002.

2.The Divisional Engineer (TANGEDCO),
Tamilnadu Electricity Board, Villupuram.

3.The Additional Divisional Engineer (TANGEDCO),
Tamilnadu Electricity Board, Tindivanam.

4.The Junior Engineer (TANGEDCO),
Alapakkam Sub Station,
Tamilnadu Electricity Board,
Marakkanam.

5.The Tahsildar,
Office of the Tahsildar,
Marakkanam - 604 603.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 4 and 5, ie., Junior Engineer, TNEB, Alapakkam, Marakkanam Taluk and The Tahsildar, Marakkanam Taluk, Villupuram District not to disconnect the electric supply line in Service Connection No.1492 at Alapakkam Sub Station, Marakkanam Taluk, Villupuram District.

For Petitioner : Mr.K.Balakrishnan

For R1 to R4 : Mr.Varunkumar

For R5 : Mr.M.D.Ilayaraja
Government Advocate

ORDER

The petitioner has filed the present writ petition to direct the 4th & 5th respondents to not to disconnect the electricity supply line in Service Connection No.1492 at Alapakkam Sub Station, Marakkanam Taluk, Villupuram District.

2. The facts of the case are that the supply was disconnected on 27.07.2016 on the ground that the petitioner did not possess a valid license and in pursuance of the orders passed by the National Green Tribunal on 26.02.2016 and the 1st Bench of this Court on 04.03.2016. In the counter filed by the respondents, it is submitted that the District Collector of Villupuram has passed an order pursuant to the direction of the National Green Tribunal and Coastal Aqua Culture Authorities and action may be taken to close and curb the illegal shrimp farm and hatchers which was running without license in poramboke land and forest land.

3. The electricity connection was proposed to be disconnected from the property as the Tahsildar of Marakkanam Taluk, Villupuram District had proposed to evict the petitioner from carrying on the activity and a program chart was also given for eviction of the Electricity Board connection wire and that on 27.07.2016, the power connection (meter) was also disconnected. However, suppressing the above fact, the petitioner filed the present writ petition on 20.07.2016 and obtained an interim order on 02.08.2016 which order came to be extended by a subsequent order dated 23.08.2016.

4. The respondents have now filed their counter and have stated that nothing survives for adjudication in the present writ petition. However, it is noticed that the power connection was ordered to be restored by an interim order dated 02.08.2016 of this Court since the petitioner carried on the operation on the land without proper permission and there was an eviction drive pursuant to the directions of the Green Bench (National Green Tribunal) and that of the 1st bench of the Court, I direct the respondents to find out whether the *status quo* continues as on date. In case, the petitioner is not in a possession of a valid permission/valid license to carry on the activity, the electricity connection given to the petitioner pursuant to the interim direction shall be disconnected.

5. The respondents are therefore directed to inspect the property and pass appropriate orders within a period of 30 days from the date of receipt of a copy of this order before disconnecting the electricity connection.

6. With the above observation and direction, this Writ Petition is disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar((C.O.))

/True Copy/

Sub Assistant Registrar

To

- 1.The Chairman (TANGEDCO),
Tamilnadu Electricity Board,
Anna Salai, Chennai - 600 002.
- 2.The Divisional Engineer (TANGEDCO),
Tamilnadu Electricity Board,
Villupuram.
- 3.The Additional Divisional Engineer (TANGEDCO),
Tamilnadu Electricity Board,
Tindivanam.
- 4.The Junior Engineer (TANGEDCO),
Alapakkam Sub Station,
Tamilnadu Electricity Board,
Marakkanam.
- 5.The Tahsildar,
Office of the Tahsildar,
Marakkanam - 604 603.

+1cc to The Government Pleader SR.NO.1460

AKM/23.02.21/ 3P-7C/

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