



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WRIT PETITION NO.18035 OF 2021

S.M. Murugappan

...Petitioner

-Vs-

1. The Chairman
Tamilnadu General and Distribution
corporation Ltd.,
Anna Salai, Chennai -600002
2. The Executive Engineer (O & M)
Tamilnadu General and Distribution
Corporation Ltd.,
Maraimalai Nagar,
Chengalpattu District
3. The Assistant Executive Engineer (O & M)
Tamilnadu General and Distribution
Corporation Ltd.,
(Urappakkam East Section)
Chengalpattu Electricity Distribution
Circle, Guduvancherry.
4. D. Sabithadevi
W/o.M.Sampath @ M.Duraiaraj
No. 17, Ambika Nagar Main Road,
Iyyanchery, Urappakkam
Chengalpattu.

...Respondents



WEB COPY

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus or any other appropriate writ, order or direction in the nature of writ, directing the respondents 1 to 3 to disconnect and dismantle the Electricity Service Consumer No. 09580004895, under Tariff LA1A with a load of 1KW, in respect of residential 1-Phase Service connection in the name of the 4th respondent, bearing Door No.17, Ambika Nagar Main Road, Iyyanchery, Urapakkam, Chengalpattu district.

For Petitioner : G.Vasudevan

For Respondents : Ms.L.Jai Venkatesh Standing
Counsel for R1,
R2 & R3

O R D E R

This writ petition has been filed for directing the 4th respondent to consider the complaint/ representation made by the petitioner on 04.10.2007 wherein the petitioner has objected to the electricity service connection that has been given in the name of the 4th respondent for the subject property.

2. The case of the petitioner is that the subject property is owned by him by virtue of a sale deed dated 09.09.1987. The further case of the petitioner is that he was serving in the Army and he retired from the service in the year 1976 and thereafter with great difficulty he purchased the subject property with all his earnings.

3. The grievance of the petitioner is that the husband of the 4th respondent, taking advantage of the absence of the petitioner in the property, had managed to create fabricated documents and also had managed to create false property tax assessment and he had created the sale deed in favour of the 4th respondent. The petitioner therefore has given a representation on 04.10.2007 to respondents 1, 2 and 3 requesting them to disconnect the service connection in view of the fact that the service connection has been obtained by misrepresentation and



with the aid of fabricated documents. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

WEB COPY

4. Heard Mr.G.Vasudevan, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel for the respondents 1, 2 and 3.

5. Taking into consideration the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 04.10.2007 after affording an opportunity to the 4th respondent and deal with the same on its own merits and in accordance with law and take a decision within a period of six weeks from the receipt of a copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and also a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

KST

To

1. The Chairman, Tamilnadu General and Distribution corporation Ltd., Anna Salai, Chennai -600002

2. The Executive Engineer (O & M), Tamilnadu General and Distribution Corporation Ltd., Maraimalai Nagar, Chengalpattu District.

3. The Assistant Executive Engineer (O & M) , Tamilnadu General and Distribution Corporation Ltd., (Urappakkam East Section), Chengalpattu Electricity Distribution Circle, Guduvancherry.



+1cc to Ms.L.Jai Venkatesh, Advocate, S.R.No.43467

RSV(C0)
RLP(20/09/2021)