



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15007 of 2021 and
WMP No.15889 of 2021

Saminathan

.... Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited, No.144, Anna Salai,
Chennai 600 002.
2. The Chief Engineer/ Personal,
Tamil Nadu Generation & Distribution
Corporation Limited, No.144, Anna Salai,
Chennai 600 002.
3. The Assistant Engineer,
Tiruppur Electricity Distribution Circle,
Tamil Nadu Generation & Distributin
Corporation Limited, Tiruppur,
Tiruppur District.
4. The Junior Engineer,
Tamil Nadu Generation & Distributin
Corporation Limited, Maniyarampalayam,
Nallur, Tiruppur District.
5. The Sub Registrar,
Thottipalayam, Tiruppur,
Tiruppur District.
6. Kandasamy
7. Balakrishnan
8. Periyasamy
9. Vijayakumar
10. P.C.Periyasamy
- 11.A.Krishnamoorthy

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India to issue a writ of Mandamus forbearing the respondents 1 to 4 from effecting the electricity service



connection to the unapproved residential plots of the respondents 6 to 11 in S.N.141/1A and S.N.141/1B situated at Nachipalayam Village, Tiruppur District untill the representations of the petitioner dated 31.05.2017, 12.07.2021, 29.06.2020 and 07.06.2021 are disposed by the fifth respondent.

For petitioner : Mr.S.Doraisamy

For respondents : Mr.Abdul Kalam (TNEB)
for R1 to R4

Mr.A.Selvendran, Govt. Adv. for R5

ORDER

This writ petition has been filed to issue a writ of Mandamus forbearing the respondents 1 to 4 from effecting the electricity service connection to the unapproved residential plots of the respondents 6 to 11 in S.N.141/1A and S.N.141/1B situated at Nachipalayam Village, Tiruppur District untill the representations of the petitioner dated 31.05.2017, 12.07.2021, 29.06.2020 and 07.06.2021 are disposed by the fifth respondent.

2. The contention of the petitioner is that, he is the absolute owner of the property in S.No.141/1C to an extent of 3.76 acres situated at Nachipalayam Village, Tiruppur District. The 6th respondent is the adjacent land owner of S.No.141/1B and the respondents 7 to 11 are the adjacent land owners of S.No.141/1A. According to the petitioner, he surveyed his land through private surveyor in the year 2016 and found that 0.46 acres of land was missing from S.No.141/1C and it was wrongly included in the revenue record of the respondents 6 to 11. The respondents 6 to 11 are developing their land into residential plots and are intended to sell the same to third parties, without any approval. Hence, the petitioner has made several representations from 2016 onwards to the fifth respondent, however no action has been taken. Hence this writ petition.

3. Mr.Abdul Kalam, learned Standing Counsel for TNEB takes notice for the respondents R1 to R4 and Mr.A.Selvendran, learned Standing Counsel to Government takes notice for the fifth respondent.

4. By consent of counsels to both the parties, this court takes this matter for final disposal.

5. The learned counsel appearing for the Electricity Board submitted that if any objection is given by the petitioner, the same will be considered by the concerned Assistant Engineer, in accordance with the Guidelines and the Regulations of the Board.



6. Recording the above submission made by the learned counsel appearing for the Board, without expressing any opinion on merits, this court directs the concerned Assistant Engineer to consider the petitioner's representation dated 12.07.2021 on its own merits, as early as possible, within a period of 12 weeks from the date of receipt of a copy of the order, after providing opportunities to the petitioner as well as the private respondents in this writ petition.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Limited, No.144, Anna Salai,
Chennai 600 002.
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Nallur, Tiruppur District.
5. The Sub Registrar,
Thottipalayam, Tiruppur,
Tiruppur District.

+1CC to M/s.Doraisamy, Advocate SR No.34456

W.P.No.15007 of 2021

Wmp No.15889 of 2021

SPD (CO)

B.VC (17/08/2021)