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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.16195 of 2021

C.Natarajan

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Anna Salai,
Chennai.
2. The Executive Engineer,
Operation and Maintenance, (TANGEDCO)
No.22, Canal Road,
Kotturpuram,
Chennai.
3. The Assistant Engineer,
TANGEDCO, No.22, Canal Road,
Kotturpuram,
Chennai.
4. Arulmighu Sree Bhavani Amman Koil,
Rep. by its Secretary,
No.152/153, 100 Feet Road,
Bharathi Nagar,
Taramani,
Chennai - 600 113.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue service connection of electricity power to the premises "Ellaiamman Travels", No.152/153, 100 Feet Road, Bharathi Nagar, Taramani, Chennai-600 113 within the time frame as fixed by this Court.



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For Petitioner : Mr.A.Suresh

For Respondents: Mr.L.Jai Venkatesh
Standing Counsel for R1 to R3

Mr.J.Antony Jesus for R4

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondents to give service connection to the premises in which the petitioner is in occupation as a lessee.

2.When the matter was taken up for hearing, the learned counsel appearing on behalf of the 4th respondent by placing reliance upon the typed set of papers submitted that as early as on 11.10.2020, a resolution was passed wherein the petitioner had also given an undertaking to vacate and handover the premises and it was also signed by the petitioner. This resolution was followed up with the subsequent resolution that was passed on 23.02.2021. As on today, the service connection stands in the name of the temple.

3.The petitioner has approached this Court with an innocuous prayer as if he is a lessee in the property and a service connection must be given to the petitioner based on the application submitted by the petitioner.

4.The learned Standing Counsel appearing on behalf of the 3rd respondent submitted that the 4th respondent temple has given an objection and already the work is going on for the renovation of the temple and therefore, the petitioner is not entitled for getting the service connection as sought for in this writ petition.

5.In the considered view of this Court, there is already a pending dispute between the petitioner and the 4th respondent and the petitioner is admittedly a lessee in the property. The question of the 3rd respondent giving an independent service connection to the petitioner does not arise in the present case since, the service connection stands in the name of the temple. If at all the petitioner is aggrieved with the fact that the basic amenity viz., the service connection has been disconnected, the petitioner has to workout his remedy only before the appropriate civil Court. This Court does not find any legal right for the petitioner to seek for a service connection in his name and hence the relief as sought for by the petitioner cannot be granted by this Court.



6. Accordingly, this writ petition stands dismissed. No Costs.

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Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Anna Salai,
Chennai.

2. The Executive Engineer,
Operation and Maintenance, (TANGEDCO)
No.22, Canal Road,
Kotturpuram, Chennai.

3. The Assistant Engineer,
TANGEDCO,
No.22, Canal Road,
Kotturpuram, Chennai.

+1cc to M/s.A.Suresh, Advocate, S.R.No.42482

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.42378

W.P.No.16195 of 2021

AK (CO)
RGA (16/09/2021)