



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.16805 of 2021

N.Ashok Kumar

... Petitioner

-Vs-

1. The Superintending Engineer
Chidambaram Taluk Cuddalore District
2. The Assistant Engineer O and M
TANGEDCO Keerapalayam, Chidambaram
Taluk Cuddalore District
3. Ilayaraja

.... Respondents

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of directing the respondents 1 and 2 to disconnecting the III Phase Service Connection NO. 389 granted in the name of Prince Raja with respect to the property situated at Vayalur Village, Chidambaram Taluk Cuddalore District comprised in Survey No.113/A based on the petitioners brother representation dated 7.7.2021.

For Petitioner : Mr.S.Sithirai Anandam

For Respondents : Mr.L.Jai Venkatesh,
Standing Counsel

O R D E R

This writ petition has been filed for the issue of a Writ of Mandamus directing the first and second respondents to act upon the representation dated 07.07.2021, wherein the brother of the petitioner has requested the service connection given in favour of the third respondent in the name of Prince Raja to be disconnected.

2. The case of the petitioner is that, he purchased the subject property by virtue of a registered sale deed dated



13.07.2007. The further case of the petitioner is that he has created an equitable mortgage of the property with Axis Bank in the year 2012. The petitioner had to stay at Malaysia since he is having his occupation there. Taking advantage of the absence of the petitioner, it is stated that the third respondent had created a fabricated lease deed and based on the same, had also managed to obtain a LT Service Connection. The petitioner, through his brother, has already lodged a complaint before the Police and the investigation is also pending in this regard.

3. The brother of the petitioner made a representation to the first and second respondents on 07.07.2021 requesting for the disconnection of the service connection granted in the name of Prince Raja on the ground that such service connection was obtained through a fraudulent lease deed that was fabricated by the third respondent. The grievance of the petitioner is that this representation has not been considered and left with no other option, the present writ petition has been filed.

4. Heard Mr.S.Sithirai Anandam, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for, there shall be a direction to the second respondent to consider the representation made by the brother of the petitioner on 07.07.2021 and deal with the same on merits and in accordance with law, after affording an opportunity to the petitioner or his brother and the third respondent and take a decision within a period of four weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

KST



To:

1. The Superintending Engineer
Chidambaram Taluk Cuddalore District
2. The Assistant Engineer O and M
TANGEDCO Keerapalayam, Chidambaram
Taluk Cuddalore District.

+1cc to M/s.S.Sithirai Anandam, Advocate, S.R.No.39959

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.39954

W.P.No.16805 of 2021

RR(CO)
SU(27/08/2021)