



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16443 of 2019

and

W.M.P.No.16103 of 2019

G.R.Sridharan

...Petitioner

Vs.

1. The Chief Vigilance Officer,
TNEB, Vigilance cell, Annasalai
Chennai-600 002.
2. The Executive Engineer,
TANGEDCO,
Chengai Division, Thirumalisai- 600 124.
3. The Superintending Engineer,
TANGEDCO/CEDC,
P.B.No.18, GST Road, Chengalpattu.
4. The Assistant Executive Engineer,
TANGEDCO,
Kadambathur.
5. The Additional Director General of Police (Vigilance)
TANGEDCO,
144, Annasalai, Chennai-600 002.
6. G.R.Damodharan
7. G.R.Allavanthan

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 5 to conduct an enquiry on the petitioner's complaints dated 30.10.2016 and 26.12.2018 and take appropriate action against the erring officials and remove the illegal service connections in survey No.622/2 and 624/1 Perambakkam village, Thiruvallur Taluk after inspection of the field.



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For Petitioner

: M/s.R.Subramanian

For Respondents R1 to R5

: Mr.Jai Venkatesh
Standing Counsel

For Respondents R6 & R7

: Mr.Nithianandam

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents 1 and 5 to conduct enquiry on the petitioner's complaints dated 30.10.2016 and 26.12.2018 and take appropriate action against the erring officials and remove the illegal service connections in survey No.622/2 and 624/1 Perambakkam village, Thiruvallur Taluk after inspection of the field.

2.The case of the petitioner is that the petitioner and his five brothers are joint owners of lands situated in Survey No.622/2(P) & 624. The petitioner's brothers/6th and 7th respondents have illegally obtained the electricity service connection to the lands in Survey No.624/1 and 622/2 without the consent of the petitioner and other brother. The authorities have provided the connection without verifying the fact that there is no bore well in these two fields and the 6th and 7th respondents have given the service connection to the bore wells located in Survey No.634 which is a Government channel porambokke and drawing water illegally and same was informed to the Divisional Engineer on 05.08.2010 by the petitioner, however, no action has been taken against the complaint. Thereafter, the Executive Engineer sent a reply dated 09.09.2010 stating that the service connection has been given only based on the documents of the revenue authorities despite the fact that the petitioner has enclosed the sale deed dated 27.03.1986. Hence, the petitioner sought for information under RTI Act and has only received evasive replies and the copies were not furnished to the petitioner. Thereafter, the petitioner filed an appeal to the appellate authority under RTI act stating that he has not been furnished with the documents and the petitioner received letter dated 27.07.2016 enclosing the proceedings dated 26.05.2016.

3.It is further submitted that the petitioner made a complaint to the 1st respondent on 30.10.2016 regarding the illegal possession of electricity connection and drawing of water by his brothers/6th and 7th respondents and the



petitioner received a letter from the Executive Engineer O & M which is not satisfying. Hence, the petitioner filed appeal to the appellate authority regarding the same and illegal possession of service connection and drawing of water from porambokke land and the replies given by other authorities which were very evasive. Since the petitioner's representation dated 26.12.2018 was not considered and continuously prolonged, the petitioner filed this writ petition.

4. The learned counsel appearing for the petitioner submitted that the petitioner made multiple representation to the respondents but the petitioner has been dragged from pillar to post and the documents requested were not furnished properly. He further submitted that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's complaint and the representation dated 26.12.2018 and pass appropriate orders as early as possible.

5. The learned counsel appearing for the 6th and 7th respondents submitted that the bore well is not situated in the Government channel porambokke and it is situated only in 621/622 and no bore well has been dug in the Survey No.634. However, he submitted that he has no serious objection for Electricity officials to conduct enquiry.

6. Heard the arguments advanced on either side.

7. Considering the facts and circumstances of the case, this Court issues direction to the respondents 1 to 5 to consider the petitioner's representation and the complaint dated 26.12.2018 and 30.10.2016 respectively and pass appropriate orders in accordance with law after conducting preliminary enquiry and verify whether the bore well is dug in the Government channel porambokke and depending on the outcome of the enquiry take appropriate action in accordance with law.

8. Accordingly, this Writ petition is disposed of. No costs. Connected Miscellaneous petition is closed.

s/d-
Assistant Registrar

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Sub-Assistant Registrar



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5. The Additional Director General of Police (Vigilance)
TANGEDCO,
144, Annasalai, Chennai-600 002.
Chennai - 600 024.

+1 CC to The Government Pleader sr 59783.
+1 CC to Mr.R.Subramanian, advocate sr 59567
+1 CC to Mr.N.Nithianandam, Advocate sr 59725
+1 CC to Mr.L.Jai Venkatesh, Advocate sr 59925.

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SSI (CO)
SP(16/12/2021)