



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10679 of 2014

and

M.P.No.1 of 2014

K.Narayanan

...Petitioner

Vs

The Assistant Executive Engineer,
Operation and Maintenance/West,
Thindivanam.

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to shift the petitioner's existing electricity service connection No.314 from S.No.223/1 to the land and well in S.No.48/4 on the petitioner dated 08.11.2013.

For Petitioner : Mr.G.Appavu

For Respondent : Mr.L.Jaivenkatesh
Standing Counsel

O R D E R

The relief sought for in the present writ petition is to direct the respondent to shift the petitioner's existing electricity service connection No.314 from S.No.223/1 to the land and well in S.No.48/4 of the petitioner dated 08.11.2013.

2.The petitioner submitted an application for shifting the electricity connection from the existing premises to the other premises.

3.The learned counsel appearing for the petitioner reiterated that the property was purchased by the petitioner and therefore, an application was submitted for shifting of electricity service connection.

4.However, such contention is objected by the learned Standing Counsel for the respondent by stating that the petitioner is seeking electricity service connection in a land which do not belongs to him.



5. Thus, all appropriate steps are to be taken to establish that the petitioner is the owner of the particular land. As per the Act and Rules, the owner of the property alone is entitled to file an application seeking electricity service connection or shifting of connection. When a doubt has been raised by the Electricity Board that the petitioner is seeking shifting of electricity connection in a property which does not belong to him, then it is for the petitioner to establish that he is the owner of the property either before the authorities or by approaching a competent Civil Court of law. Only in the event of establishing the title and ownership, the application filed by the petitioner is to be considered. Thus, the petitioner is at liberty to establish his right in respect of the property in question and in the event of establishing his rights, the application submitted by him is to be considered.

6. With these observations, the writ petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cse

To

The Assistant Executive Engineer,
Operation and Maintenance/West,
Thindivanam.

+1cc to Mr.G.Appavu, Advocate, S.R.No.63882

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.64450

W.P.No.10679 of 2014

PA(CO)
RGA(20/12/2021)