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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.19041 of 2021

1. Rev J.Gnanaprasath Area Chairman,
Advent Christian Conference of India,
163, American Advent Conference Compound,
Gandhi Salai, Velacherry
Chennai - 600 042.

...Petitioner

-Vs-

1. Assistant Engineer,
O and M/Velachery Central,
CEDC / South 2, Chennai - 600 042.

2. Bagathasingh,
Vice Chairman / Assistant Bishop
163 American Advent Conference Compound,
Gandhi Salai, Velacherry
Chennai - 600 042.

...Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus or any other writ, direction or an order in the nature of Writ of Mandamus to direct the 1st respondent to shift the electricity connection in Service No.09288024222 from the existing place to the petitioner's residence found at 163, American Advent Conference Compound, Gandhi Salai, Velacherry, Chennai - 600 042 as requested in the Petitioner's application dated 09.06.2021

For Petitioner : M/S P.Paramasiva Doss

For Respondents : Mr. L.Jai Venkatesh
Standing Counsel for R1
M/S Dakshyani Reddy for R2



O R D E R

This writ petition was filed for the issue of writ of mandamus directing the 1st respondent to shift the electricity connection from the existing place to the residence of the petitioner as requested by the petitioner through application dated 09.06.2021.

2. The dispute among the parties was agitated through various suits filed before this Court and the entire issue was referred for mediation. The mediation report dated 28.09.2021 was placed before this Court. For the purpose of this case, the relevant portion in the mediation report is extracted hereunder:-

As per the existing bye-laws approved in the year 2005, the term of office of the elected office bearers in for two years which position of law is agreed by all the parties to the proceedings. Rev.P.Paul Victor Jones and Rev.J.Gnanaprasath have stated that they have been illegally suspended and they are not allowed to conduct worships in their respective Churches namely Advent Christian Church of Sholinganallur and Palavakkam (Areas) and electricity service connections in their parsonage are disconnected and all the parties agreed for the continuance of the said two pastors who are under suspension to conduct worships in their respective Churches without any impediment and wherever the electricity service connections are disconnected, there is no objection for restoring the electricity connection.

3. Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4. The learned counsel for the petitioner and the learned counsel appearing on behalf of the second respondent fairly submitted that the understanding arrived at between the parties during the mediation and as found in the mediation report can be incorporated in this order and the petitioner can work out his remedy accordingly.

5. In view of the above development, there shall be a direction to the 1st respondent to process the application submitted by the petitioner on 09.06.2021 and act upon the same based on the settlement arrived between the parties subject to the petitioner paying the necessary charges to the 1st respondent and complying with the conditions. The process shall be completed by the 1st respondent within a period of 4 weeks from the date of receipt of copy of this order.



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6.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sha/rka

To

Assistant Engineer,
O and M/Velachery Central,
CEDC / South 2, Chennai - 600 042.

+1CC to Mr.L.Jai Venkatesh, Advocate, Sr.No.52488

Writ Petition No.19041 of 2021

KSM (CO)

K.RK. (25.10.2021)