



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.19199 of 2019

R.Gangadharan

... Petitioner

vs.

1. The Superintending Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
TANGEDCO, Vengikal,
Thiruvannamalai District.

2. The Assistant Engineer (Villages),
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
TANGEDCO, Athimoor,
Polur Taluk,
Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 03.01.2019 and to restore the service connection bearing No.147 laid in S.No.168/2 of Periyagaram Village, Polur Taluk, Thiruvannamalai District within a reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to consider his representation dated 03.01.2019 and to restore the service connection bearing No.147 laid in S.No.168/2 of Periyagaram Village, Polur Taluk, Thiruvannamalai District, within a reasonable time.



2. According to the Petitioner, the property measuring an extent of 1.48 acres comprised in Nanja S.Nos.175/1A2, 175/1B, 169 and 168/4 of Periyagaram Village, Polur Taluk, Thiruvannamalai District and half share on the Well erected in S.No.168/2 to an extent of 0.11 acre and 5 HP Motor with electricity Service Connection bearing No.147 originally belonged to his paternal grandfather and he bequeathed the said properties in favour of his father, viz. Rajendran by a registered Will dated 09.03.1998 bearing Registration No.21/1998 in the Office of the Sub-Registrar, Polur. After his father's death, the Petitioner, his mother and his brothers are in continuous possession and enjoyment of the said property.

3. It is further stated by the Petitioner that, for the property in question, his grandfather obtained electricity service connection by making proper Application dated 07.02.1978. As the 2nd Respondent disconnected the electricity service connection on 13.10.2017 to the property in question without any information, the Petitioner made a representation to the District Collector, Thiruvannamalai. Thereafter, the 2nd Respondent, vide his letter dated 06.01.2018 restored electricity service connection to the Petitioner's property. However, it is the case of the Petitioner that, without any information, the 2nd Respondent once again disconnected electricity service connection to his property on 24.12.2018, due to which, he sustained huge loss. Hence, the Petitioner made a detailed representation dated 03.01.2019 to the Respondents seeking restoration of electricity service connection. As no action is forthcoming on his representation, having no other alternative, the Petitioner is before this Court with the above Writ Petition.

4. Learned counsel for the Petitioner submitted that, the Respondents may be directed to consider the Petitioner's representation dated 03.01.2019 within a stipulated time.

5. Learned Standing Counsel appearing for the Respondents submitted that, initially, the Petitioner made a representation to the Respondents on 13.10.2017 on the ground that, the 2nd Respondent disconnected the electricity service connection to his premises without any information. However, he received a letter from the 2nd Respondent on 06.01.2018 stating that, there was no disconnection of electricity service connection and that, the same is 'live'. With reference to the counter Affidavit filed by the 2nd Respondent, learned Standing Counsel submitted that, the Respondents have not disconnected the electricity service connection given to the Petitioner's premises at any point of time.



6. Taking note of the submissions of the learned counsel on either side, more particularly, the counter Affidavit of the 2nd Respondent, wherein, it is categorically stated that, the electricity service connection to the Petitioner's premises was not disconnected at any point of time, this Court is of the view that, no further orders are necessary in this Writ Petition.

In view of the above, this Writ Petition is closed. No costs. Consequently, connected W.M.P.No.18635 of 2019 is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Superintending Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
TANGEDCO, Vengikal,
Thiruvannamalai District.
2. The Assistant Engineer (Villages),
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
TANGEDCO, Athimoor,
Polur Taluk,
Thiruvannamalai District.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.62572

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.62703

W.P.No.19199 of 2019

EV(CO)
SU(20/01/2022)