



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.23014 OF 2014

AND

M.P.NO.1 OF 2014

M.Elumalai

... Petitioner

.Vs.

1. The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk,
Chennai-600 005.

2. The Executive Engineer,
Division-4,
Tamil Nadu Slum Clearance Board,
T.P.Chathiram,
Chennai-600 010.

3. J.Martin

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order in Na.ka.No.1780/A3/ko-4/2001 dated 06.08.2014, issued by the 2nd respondent herein and quash the same and consequently forbearing the respondent Nos.1 and 2 not to take any further proceedings in the above matter till the cases are disposed by the Courts.

For Petitioner : M/s.Dr.G.Krishnamurthy

For R1 and R2 : Mr.Prabhu

For R3 : Mr.D.Bennington



O R D E R

The fact remains that there was a land dispute between the father of the writ petitioner and the brother of his father.

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2. This civil dispute went up to the Hon'ble Supreme Court of India and during the relevant point of time the agricultural electricity service connection provided was disconnected. The parties adjudicated the matter and pursuant to the orders of the Hon'ble Supreme Court of India, subsequently, the subject property is allotted in favour of the petitioner, who is the son of Late.Ramakrishna Gounder. Originally, the electricity connection was granted in the name of Late.Ramakrishna Gounder and after resolving the civil dispute between the family members, now the land is allotted in favour of the petitioner.

3. Thus, the original electricity service connection granted in the name of Late.Ramakrishna Gounder cannot be restored at this length of time. On account of the fact that the connection was cancelled due to the civil dispute between the parties and this particular subject property allotted based on the judgment of the Courts in favour of the writ petitioner.

4. The petitioner had submitted the application for restoration of electricity connection. However, his application is to be treated for grant of electricity connection in accordance with the provisions of the Act and Rules and by following the seniority.

5. The learned counsel for the respondents/Electricity Board also clarified that the case of the petitioner will be considered in accordance with the seniority and by following the procedures as contemplated.

6. In view of the said submission, the respondents are directed to consider the case of the writ petitioner in accordance with the provisions of the Act and Rules and by following the seniority, as the petitioner is willing to pay the necessary charges for such service connection.

7. With these directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Jeni/Vs



To

1. The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk,
Chennai-600 005.

2. The Executive Engineer,
Division-4,
Tamil Nadu Slum Clearance Board,
T.P.Chathiram,
Chennai-600 010.

+1cc to Mr.S.Prabhu, Advocate, S.R.No.58663

W.P.No.23014 of 2014

SJ(CO)
PM/29/11/2021