



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 23501 of 2021

and

WMP No. 24736 of 2021

Ramesh

.. Petitioner

Versus

- 1.The Chairman,
Tamilnadu Generation and Distribution
Corporation Limited, Mount Road,
Chennai.
2. The Executive Engineer,
Tamilnadu Generation and Distribution
Corporation Limited, Avadi Division,
Chennai.
3. The Superintendent Engineer,
Tamilnadu Generation and Distribution
Corporation Limited, Thirumullaivayal,
Avadi Sub Division, Chennai.
4. The Assistant Executive Engineer,
Tamilnadu Generation and Distribution
Corporation Limited,
Thirumullaivayal, Avadi Sub Division,
Chennai.
5. Mrs.Latha

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents herein to consider the application dated 24.08.2021 given to the fourth respondent herein and disconnect the electricity connection provided to the fifth respondent herein and direct the fourth respondents herein to provide the electricity connection to the petitioner.



For Petitioner : Mr. P.S. Alagiri

For Respondents : Mr. Jaivenkatesh for R1 to R4

ORDER

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The petitioner has filed this writ petition praying to issue a Writ of Mandamus directing the respondents herein to consider his application dated 24.08.2021 given to the fourth respondent herein, disconnect the electricity connection provided to the fifth respondent herein and direct the fourth respondent herein to provide the electricity connection to his premises.

2. According to the petitioner, he purchased the property bearing Plot No.41, Thendral nagar, comprised in S.Nos.315/4 and 315/5A, New door No.16, Thirumullaivoyal Village, Avadi Municipal jurisdiction, Avadi Taluk, Tiruvallur District through a registered sale deed dated 28.7.2021. After purchase of the property, he planned to construct an house for which, he applied for electricity connection online. When he attempted to pay necessary fee, it was notified in the website of the respondents/Electricity Board that already a registered user exists. On enquiry he came to know that the fifth respondent herein has also applied for the electricity connection to the property purchased by the petitioner based on the forged and bogus document. When the petitioner raised his objection and demanded the respondents 1 to 4 not to give electricity service connection to the property in question in the name of the fifth respondent, the fourth respondent refused to do so and directed the petitioner, who is the lawful owner of the property, to get an order from the competent court. It is the grievance of the petitioner that without considering his application dated 24.08.2021, electricity connection was given in favour of the fifth respondent. Hence this writ petition.

3. Heard the learned counsel for the petitioner as well as the learned counsel for the respondents 1 to 4 and perused the materials available on record.

4. It is seen from the pleadings that the fifth respondent has obtained the service connection in respect of the property said to have been belonging to the petitioner and hence, the respondent corporation directed the petitioner to approach the Civil Court and get an order for getting electricity service connection in respect of the property in dispute. As such, a Mandamus as sought for by the petitioner cannot be granted by this Court. It is always open to the petitioner to approach the appropriate forum for appropriate relief in the manner known to law.



5. With the above observation, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

1. The Chairman,
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Corporation Limited, Mount Road,
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Thirumullaivayal, Avadi Sub Division,
Chennai.

WP No. 23501 of 2021

KSM(CO)
SB(29/11/2021)