



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Sixth day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M.DHANDAPANI

WMP NO.27479 OF 2021

IN WP.NO.26036 OF 2021

M/S. RIKUN MANUFACTURING PVT LTD,
REP BY ITS DIRECTOR, MR. MUTHU SIVAN,
A-43, SIPCOT INDUSTRIAL GROWTH CENTRE,
WALAJAHBAD ROAD, ORAGADAM,
KANCHEEPURAM DISTRICT - 602105.

[PETITIONER]

Vs

1 THE CHAIRMAN
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION (TANGEDCO), ANNA SALAI,
CHENNAI -600002.

[RESPONDENTS]

2 THE SUPERINTENDING ENGINEER
TANGEDCO, CHENGALPATTU,
G.S.T ROAD, CHENGALPATTU - 603001.

3 THE ASSISTANT EXECUTIVE ENGINEER,
(OPERATIONS AND MAINTENANCE)
ORAGADAM, BANU NAGAR,
185, REDHILLS HIGH ROAD,
AMBATTUR, CHENNAI - 600053.

4 KUBS SAFES AND LOCKS PVT LTD
PLOT NO. A-37, A-42, A-43 SIPCOT INDUSTRIAL
GROWTH CENTER, WALAJAHBAD ROAD, ORAGADAM,
KANCHEEPURAM DISTRICT - 105.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of Interim Injunction restraining the respondent No.4 or their men or agents from disconnecting the electricity connection at the petition property situated at Plot No. A-37, A-42, and A-43 in the SIPCOT Industrial Park Walajahbad Road, Oragadam, Kancheepuram District - 602 105 (WMP NO.27479 OF 2021) pending disposal of the WP.NO.26036 OF 2021.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof
<https://hcservices.ecourts.gov.in/hcservices/>



and upon hearing the arguments of M.R.AR.L.SUNDARESAN for Senior Counsel, for the petitioner and of MR.L.JAIVENKATESH, Standing Counsel (TNEB) on behalf of the 1 to 3 Respondents and the 4th Respondent not appearing either in person or by an advocate the court made the following order:-

This Miscellaneous Petition is filed seeking to grant an order of interim injunction restraining the 4th Respondent or their men or agents from disconnecting the electricity connection at the Petitioner's property situated at Plot Nos.A-37, A-42 and A-43 in SIPCOT Industrial Park, Walajahbad Road, Oragadam, Kancheepuram District-602 105, pending disposal of the Writ Petition.

2. Learned Senior Counsel appearing for the Petitioner submitted that, the 4th Respondent/Company which has its manufacturing Unit at SIPCOT Industrial Park, Oragadam, has entered into a lease Agreement dated 23.12.2009 with the State Industries Promotion Corporation of Tamil Nadu Limited in respect of the property measuring 10 Acres in Plot Nos.A-37, A-42 and A-43 in SIPCOT Industrial Park, Oragadam. In respect of the premises at A-43, SIPCOT Industrial Park, Oragadam, measuring about 4646 sq. ft. built up area, the Petitioner entered into a registered sub lease deed with the 4th Respondent/Company on 07.09.2018 and the same was registered as Doc.No.3590 of 2018 before Sub-Registrar Office, Walajabad.

3. It is further stated by the learned Senior Counsel for the Petitioner that, as there was a dispute between the Petitioner and the 4th Respondent, the 4th Respondent/Company disconnected essential services such as electricity and water supply at the premises of the Petitioner. Earlier, the Petitioner filed a Suit in O.S.No.238 of 2019 before the District Munsif at Sriperumbudur for permanent injunction restraining the 4th Respondent or their men from interfering with the peaceful possession and enjoyment and access of the Suit property. The District Munsif vide order dated 07.01.2020 passed an order of interim injunction against the 4th Respondent and the same is subsisting. However, on 29.11.2021, the electrical foreman of the Tamil Nadu Electricity Board, Oragadam entered into the Petitioner's premises to disconnect electricity connection without any order, at the instance of the 4th Respondent. Hence, the Petitioner submitted a representation on 30.11.2021 to the 2nd Respondent in respect of its tenancy rights at the Petition property.

4. Learned Senior Counsel appearing for the Petitioner contended that, while the tenancy is subsisting, the action of the 4th Respondent in disconnecting electricity connection is unlawful and in violation of the order of interim injunction dated 07.01.2020 passed by the District Munsif in O.S.No.238 of 2019.



5. Considering the facts and circumstances of the case, as this Court finds much force in the submissions of the learned Senior Counsel appearing for the Petitioner, **there shall be an order of interim injunction as prayed for.** Notice.

-sd/-

06/12/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION (TANGEDCO), ANNA SALAI,
CHENNAI -600002.

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185, REDHILLS HIGH ROAD,
AMBATTUR, CHENNAI - 600053.

+3 C.C. to M/S.SIDHARTH ADVOCATE SR.NO.7137/2021

Order

in

WMP.NO.27479/2021

in WP.NO.26036 OF 2021

Date :06/12/2021

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