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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.6694 OF 2017

Ashokkumar

... Petitioner

.Vs.

1. The Chief Engineer,
Tamil Nadu Electricity Board,
No.10, Old Power Kavul Road,
Villupuram District.
2. The Executive Engineer,
Tamil Nadu Electricity Board,
Gingee,
Villupuram District.
3. The Junior Engineer,
Power Distribution Office,
Thandasamuthiram,
Kanakankuppam,
Aalamundi Via,
Gingee,
Villupuram District.
4. Jayaraman
5. Prapakaran

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of Constitution of India for writ of mandamus, directing the respondents 1 to 3 to take appropriate action against the 4th and 5th respondent for their act of theft of electricity in view of the petitioner representation dated 19.12.2016.

For Petitioner : Mr.S.Arivazhagan

For Respondent No.1 to 3 : Mr.Jai Venkatesh, TNEB

Respondent No.4 & 5 : Mrs.S.Sasikala



O R D E R

The prayer sought for in the present writ petition is to direct the respondents 1 to 3 to take appropriate action against the 4th and 5th respondent for their act of theft of electricity in view of the petitioner representation dated 19.12.2016.

2. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents 1 to 3, the learned counsel appearing for the respondents 4 & 5 and perused the records.

3. The learned counsel appearing for the petitioner submitted that the the petitioner has made a representation dated 19.12.2016 to the respondents 1 to 3 against the 4th 5th respondent for illegal use of electricity in their land and put up electric fencing to avoid entering the animals or any third party to their lands. Since no action has been taken by the respondents 1 to 3, the present writ petition is filed.

4. Considering the facts and circumstances of the case and the limited scope of the prayer sought for by the petitioner, this Court, without expressing any of the opinion on the merits of the case, directs the 3rd respondent to consider the petitioner's representation dated 19.12.2016 and pass appropriate orders on merits, in accordance with law, after providing due opportunity to the petitioner as well as respondents 4 & 5 as expeditiously as possible. The writ petitioner is also directed to produce a copy of the representation dated 19.12.2016 to the respondents 1 to 3.

5. With the above directions, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Engineer,
Tamil Nadu Electricity Board,
No.10, Old Power Kavul Road,
Villupuram District.



2. The Executive Engineer,
Tamil Nadu Electricity Board,
Gingee,
Villupuram District.

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3. The Junior Engineer,
Power Distribution Office,
Thandasamuthiram,
Kanakankuppam,
Aalamundi Via,
Gingee,
Villupuram District.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.34183

+1cc to Mrs.S.Sasikala, Advocate, S.R.No.33899

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.34144

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PCH(CO)
PBS/17/08/2021