



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.5943 OF 2022

J.Kavitha

...Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Electricity Board,
Mount Road, Chennai - 600 002.
- 2.The Assistant Engineer,
TANGEDCO, Kumananchavadi,
Chennai-600 056.
- 3.Fast Track Housing Finance Ltd.,
No.150, Redhills Road, Bharathi Nagar,
Pudur, Ambattur, Chennai - 600 053.
- 4.Manimuthu
- 5.Mezhruddin Ishbana Begum

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent herein to consider the representation dated 22.09.2021 to for the temporary dismantling of her electricity service connection bearing service No.308-001-2671 that her electricity service connection has been misused by the 5th respondent/illegal occupier along with the assistance of 4th respondent.

For Petitioner : Mr.R.Lawrence

For Respondents : Ms.KeerthanaShenoi
for Mr.L.Jai Venkatesh, Standing Counsel
- R1 and R2

O R D E R

Ms.KeerthanaShenoi, learned Counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for R1 and R2



and is armed with instructions to proceed with the matter finally. In light of the order that is passed below, no notice is thought necessary at this juncture to R3, R4 & R5. Hence, with consent of learned counsel for the petitioner and the learned standing counsel, this Writ Petition is disposed finally even at the stage of admission.

2.The petitioner claims to be the owner of the property situated at Shakira Flats, No.2, MM Nagar, Karunakaran Nagar, Kumananchavadi, Poonamallee, Chennai - 600 056 (property in question), which, she states, is under illegal occupation by R5.

3.The petitioner has made a representation even earlier before the officials of TANGEDCO/R1 and R2 on 22.09.2021 and pursues the same prayer as made therein, for a mandamus directing the officials to disconnect the electricity service connection of the property in question that stands in her name.

4.On instructions, Ms.Shenoi would submit that the representations of the petitioner dated 22.09.2021 and dated nil are under process and in view of the petitioner's offer for surrendering the service connection on 18.09.2021, there appears to have been an inspection of the property on 20.09.2021. A communication of even date has been issued to R5, calling upon her to produce a copy of the rental agreement and granting her 30 days time to do so. A copy of the said communication is placed on file and Ms.Shenoi would also submit that there has been no response from R5 in this regard.

5. It is rather a mystery as to how she continues to reside in the premises with a fully functional electricity service connection, despite the objection of the petitioner in this regard, filed early as on 22.09.2021 and nil. Evidently there is some delay on the part of R1 and R2 in processing the petitioner's representations and there is consequently, a direction to R2 to take the proceedings commenced by issue of letter dated 21.09.2021 to a logical conclusion and pass final orders on merits and in accordance with law, within a period of four (4) weeks from today. Needless to state, both the petitioner and R5 shall be fully heard prior thereto.

6.With the aforesaid direction, this Writ Petition stands disposed. No costs.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

sl/kbs



To

1.The Chairman,
Tamil Nadu Electricity Board,
Mount Road, Chennai - 600 002.

2.The Assistant Engineer,
TANGEDCO, Kumananchavadi,
Chennai-600 056.

3.Fast Track Housing Finance Ltd.,
No.150, Redhills Road,
Bharathi Nagar, Pudur,
Ambattur, Chennai - 600 053.

+2ccs to Mr.R.Lawrence, Advocate Sr.No.17727

+1cc to Mr.L.Jai Venkatesh, Advocate Sr.No.17731

W.P.No.5943 of 2022

EV(CO)
RVM(05/05/2022)