



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

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THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.35422 of 2012
and M.P.No.1 of 2013

P.Mani

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
2. The Superintending Engineer,
Tamil Nadu Electricity Board,
Vengikal,
Thiruvannamalai District - 606 604.
3. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Mangalam Village and Post,
Thiruvannamalai District - 606 752.

4. Kumar Achari

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order bearing No.c.br.bgh/,.g/k';fyk;/nfh 286/2012-13 dated 15.10.2012 passed by the third respondent and to quash the same and restore Electricity supply to the petitioner's agricultural pump set in Service No.95, Chinnapalendal, Vengikal, Thiruvannamalai District, consequently direct the respondents 2 and 3 to conduct an enquiry into the complaint dated 15.10.2011 forwarded by the Chief Minister's Public Grievance Cell and the complaint dated 10.08.2012 sent to the second respondent.

For Petitioner : M/s.S.Baskaran

For Respondents

No.1 to 3 : M/s.L.Jai Venkatesh
Standing Counsel

For Respondent

No.4 : M/s.Achari & Antoni Asso.



O R D E R

The Writ Petitioner originally filed a Writ Petition with regard to disconnection of electricity provided to his agricultural service connection and to quash the order of the third respondent dated 15.10.2012.

2. However, the petitioner has given up the prayer for Writ of Certiorari and amended his prayer into one of Writ of Mandamus for a direction directing the respondent Nos. 2 and 3 to conduct an enquiry with regard to the complaint dated 25.10.2011 forwarded to the Chief Minister's Public Grievance Cell and the complaint dated 10.08.2012 sent to the second and third respondents.

3. From a reading of the complaint dated 10.08.2012, it is noted that aggrieved over the disconnection of the electricity service connection provided to the petitioner's pump set, the petitioner made a request for reconnection. But, the third respondent, by reply dated 15.10.2012, has categorically stated that no such disconnection was made by the official respondents. Therefore, nothing survives insofar as the complaint dated 10.08.2012 is concerned.

4. The learned counsel for the petitioner would submit that he has also made a complaint to the Chief Minister's Public Grievance Cell dated 15.10.2011, wherein, he stated various allegations against the official respondents and sought for compensation. He would claim loss occurred to him due to non-supply of power and thereby water. He could grow casuarina trees and suffered loss. Admittedly, when the power was not disconnected and admittedly the petitioner was not pursuing his agricultural work and after having given up the previous prayer, I do not find materials to support his case for relief of compensation. Further the determination of compensation requires evidence and resolution of factual disputes, which cannot be gone into under Article 226 of the Constitution of India. Therefore, the Writ Petition merits no consideration and accordingly, the same is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

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To

1. The Chairman,
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Anna Salai, Chennai - 600 002.
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Thiruvannamalai District - 606 604.
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+1cc to Mr.K.Sasindran, Advocate SR.No.11193

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AK II(CO)
GMY(03/03/2022)