



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2022

CORAM:

THE HONOURABLE Mrs.JUSTICE S.ANANTHI

W.P.No.10850 of 2022

and

W.M.P.Nos.10470 & 10471 of 2022

Saroja @ Chandra Banu

...Petitioner

Vs.

1.The Chairman & Managing Director,
Tamil Nadu General & Distribution
Corporation Limited,
No.144, Anna Salai, Chennai - 600 002.

2.The Executive Engineer (O & M),
TANGEDCO, Angalakurichi,
Pollachi Taluk,
Coimbatore District - 642 007.

3.The Assistant Engineer,
TANGEDCO, Angalakurichi,
Pollachi Taluk,
Coimbatore District - 642 007.

4.N.K.A.Jayaseelan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Certiorarified Mandamus calling for the records pursuant to the notice dated 05.04.2022 க.எண் உயிபொ/இபே/அரு/வஆ/கோ.வழக்கு/அ.எண்.001/21-22 of the 3rd respondent, quash the same and consequently, direct the 3rd respondent to restore electricity connection No.326-004-1087 to the premises of the petitioner in Survey No.724/2, situated at Kottur Village, Malaiyandhipattinam, Pollachi Taluk, Coimbatore District.

For Petitioner :Mr.R.Shanmugam

For Respondents:Ms.Keerthana Shenoi

for Mr.Abul Kalam for R1 to R3



O R D E R

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the notice dated 05.04.2022 க.எண் உமியோ/இபே/அரு/வஆ/கோ.வழக்கு/அ.எண்.001/21-22 of the 3rd respondent, quash the same and consequently, direct the 3rd respondent to restore electricity connection No.326-004-1087 to the premises of the petitioner in Survey No.724/2, situated at Kottur Village, Malaiyandhipattinam, Pollachi Taluk, Coimbatore District.

2.It is seen from the records that the petitioner has filed O.S.No.243 of 2020 before the Sub-Court, Pollachi seeking permanent injunction restraining the defendants from entering into the suit property and from disturbing the plaintiff's peaceful possession and enjoyment and I.A.No.1 of 2020 in O.S.No.243 of 2020 was filed seeking temporary injunction not to alienate the property. The Sub-Court, Pollachi, had dismissed the said application in I.A.No.1 of 2020 by order dated 12.01.2022.

3.On the basis of the dismissal order dated 12.01.2022, the TANGEDCO by notice dated 05.04.022, disconnected the electricity service connection. However, whether there is any order for disconnection from the Court is not at all disclosed in the notice.

4.It is seen that O.S.No.243 of 2020 is still pending to decide the issue for permanent injunction.

5.In view of the above, the petitioner has to appear before the 3rd respondent with all the relevant documents within a period of 15 days from the date of receipt of a copy of this order and the TANGEDCO shall pass appropriate orders after affording an opportunity of personal hearing to the petitioner. Till then, the 3rd respondent is directed to restore the electricity service connection within a period of three days from the date of receipt of a copy of this order.

6.With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

s/d-

Assistant Registrar/Vacation Officer

True Copy

Sub-Assistant Registrar



kkn

To:-

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- 1.The Chairman & Managing Director,
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 - 3.The Assistant Engineer,
TANGEDCO, Angalakurichi,
Pollachi Taluk,
Coimbatore District - 642 007.
- +2 CC to Mr.R.Shanmugam, Advocate sr 31169, 31170.

W.P.No.10850 of 2022
and
W.M.P.Nos.10470 & 10471 of 2022

KJ(CO)
SP(13/05/2022)