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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.14541 OF 2022

Tabreza Tabassum

... Petitioner

-Vs-

1. The Chairman,
The Tamilnadu Generation and Distribution
Corporation Limited,
Anna Salai,
Chennai - 600 002.
2. The Chief Engineer (Distribution),
The Tamilnadu Generation and Distribution
Corporation Limited,
Anna Nagar/Central,
CEDC/WEST,
Secretariat Branch,
9th Floor, NPKRR Maligai,
Chennai - 600 002.
3. The Superintending Engineer,
Tirupattur Power Distribution Circle,
The Tamilnadu General and Distribution
Corporation Limited,
Nariyambut, Ambur Taluk,
Thirupattur District.
4. The Executive Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Nariyambut, Ambur Taluk,
Thirupattur District.
5. The Assistant Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Nariyambut, Ambur Taluk,
Thirupattur District.



6. B.Gukul

7. B.Jabeen

8. M.Hajira

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 5 to provide Electricity connection to the property at Natham Survey No.214/B, situated at Kailasagiri Village, Ambur Taluk, Sub Registration District of Ambur, Registration District of Vellore, Walaja Taluk, Vellore District and measuring to an extent of 0.01.5 hectare (or) 150.08 square meters (or) 1615 sq.ft.

For Petitioner : Mr.V.Manisekaran

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB
For R1 to R5

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 5 to provide electricity service connection to the petitioner's property at Natham Survey No.214/B, situated at Kailasagiri Village, Ambur Taluk, Sub Registration District of Ambur, Registration District of Vellore, Walaja Taluk, Vellore District and measuring to an extent of 0.01.5 hectare (or) 150.08 square meters (or) 1615 sq.ft.

2. By consent of both the parties, the main writ petition is taken up of for final disposal at the admission stage itself.

3. The petitioner claims that she is the absolute owner of the aforementioned property. It is also her contention that there was a false dispute raised by the rival claimants. The petitioner states that she has also filed a Civil Suit against the rival claimants seeking for injunction. In the said Civil Suit, interim injunction has also been granted. The rival claimants are the respondents 6 to 8 in this writ petition. The petitioner has applied for electricity service connection on 11.01.2021. According to the petitioner, in view of a false dispute raised by the respondents 6 to 8, the electricity service connection has not been granted in favour of the



petitioner. In such circumstances, the petitioner has filed this writ petition.

4. Heard Mr.V.Manisekaran, the learned counsel for the petitioner and Mr.L.Saivenkatesh, the learned Standing Counsel for TNEB who accepts notice on behalf of the official respondents. Since no adverse orders are passed against the respondents 6 to 8, at this stage, notice to the respondents 6 to 8 is dispensed with by this Court.

5. No prejudice would be caused to the respondents if the petitioner's application seeking for grant of electricity service connection in her favour is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 6 to 8. According to the petitioner, the respondents 6 to 8 have raised a false dispute with regard to the ownership of the petitioner's property.

6. For the forgoing reasons, this Court directs the 5th respondent to pass final orders on the petitioner's application dated 11.01.2021 seeking for electricity service connection in her name for the property at Natham Survey No.214/B, situated at Kailasagiri Village, Ambur Taluk, Sub Registration District of Ambur, Registration District of Vellore, Walaja Taluk, Vellore District and measuring to an extent of 0.01.5 hectare (or) 150.08 square meters (or) 1615 sq.ft. within a period of three months from the date of receipt of a copy of this order after affording a fair hearing to the petitioner as well as the respondents 6 to 8 including granting them the right of personal hearing.

7. With the aforesaid directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Chairman,
The Tamilnadu Generation and Distribution
Corporation Limited,
Anna Salai,
Chennai - 600 002.



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2. The Chief Engineer (Distribution),
The Tamilnadu Generation and Distribution
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Anna Nagar/Central,
CEDC/WEST,
Secretariat Branch,
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3. The Superintending Engineer,
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The Tamilnadu General and Distribution
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4. The Executive Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Nariyambut, Ambur Taluk,
Thirupattur District.
5. The Assistant Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Nariyambut, Ambur Taluk,
Thirupattur District.

+1cc to Mr.V.Manisekaran, Advocate, S.R.No.34315
+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.35579

W.P.NO.14541 OF 2022

SKM(CO)
PBS/22/06/2022