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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.35256 OF 2016

AND

W.M.P.NO.30369 OF 2016

J.Mozhiselvi

...Petitioner

Vs

1.The Assistant Engineer,
Tamil Nadu Electricity Board [TANGEDCO],
Kadaperi, West Tambaram,
Chennai - 45.

2.The Executive Engineer [O&M],
Tamil Nadu Electricity Board [TANGEDCO],
Tambaram, Chennai - 45.

3.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 2.

4.Nalla Thambi

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to disconnect the electricity service connection No:255 672 1199 which was illegally allotted to the 4th respondent without proper document and records.

For Petitioner : Mr.S.Thiru Saravanan

For Respondents

R1 to R3

: Mr.L.Jaivenkatesh
Standing Counsel for TANGEDCO

R4

: Mr.G.Narayanan

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to disconnect the electricity service connection No:255 672 1199, which was illegally allotted to the 4th respondent.



2.The representation submitted by the writ petitioner on 04.08.2016 reveals that the petitioner is a practicing Advocate and residing at No.19/36, 4th Cross Street, Ranganathapuram, West Tambaram, Chennai. It is contended that the 4th respondent had availed illegal electricity service connection in his name in the year 2005 by submitting a fraudulent document before the concerned authorities and the authorities without scrutinizing the document provided electricity service connection. The petitioner states that the patta for the entire premises stands in the name of his mother and they are processing the original documents. The petitioner filed O.S.No.162 of 2009 and there is an order in his favour on 03.11.2015. Under those circumstances, the petitioner made a request to conduct enquiry and disconnect the electricity service connection provided in the name of the 4th respondent.

3.This Court is of the considered opinion that if at all any person submits an application seeking electricity service connection with fraudulent documents, then the authorities competent are empowered to look into the documents submitted by the applicant and ascertain the validity and genuinity of the same. In the present case, the petitioner states that a civil suit was instituted. Thus the respondents shall look into the document furnished by the 4th respondent and take an appropriate decision in this matter on merits and in accordance with law.

4.With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

cse

To

1.The Assistant Engineer,
Tamil Nadu Electricity Board [TANGEDCO],
Kadaperi, West Tambaram,
Chennai - 45.

2.The Executive Engineer [O&M],
Tamil Nadu Electricity Board [TANGEDCO],
Tambaram,
Chennai - 45.



3.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 2.

+1cc to Mr.L.Jaivenkatesh, Advocate Sr.No.5416

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MT (CO)
RVM(18/02/2022)