



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23011 of 2021

And

W.M.P.Nos.24205 and 24406 of 2021

R.Sekar

... Petitioner

Vs.

1.Tamil Nadu Generation and
Distribution Corporation Ltd.,
Rep by its Chairman,
Anna Salai, Mount Road,
Chennai - 600 002.

2.The Assistant Electricity Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Perambakkam,
Tiruvallur - 631 402.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of second respondent in proceeding no.THA.NO.U.PO/EB/North Perambakkam/Ko.Thani/ Va.No.008 dated 23.04.2021 and quash the same as illegal incompetent and without jurisdiction and further direct the second respondent to restore electricity connection to the 6 shops vide EB connection numbers lodge vide EB Connection number 546-011-388, 546-011-389, 546-011-390, 546-011-509, 546-011-510, 546-011-511.

For Petitioner : Mr.D.S.Ramesh

For Respondents : Mr.L.Jai Venkatesh



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records on the file of second respondent in proceeding no.THA.NO.U.PO/EB/North Perambakkam/Ko.Thani/ Va.No.008 dated 23.04.2021 and to quash the same as illegal incompetent and without jurisdiction and to further direct the second respondent to restore electricity connection to the 6 shops vide EB connection numbers lodge vide EB Connection number 546-011-388, 546-011-389, 546-011-390, 546-011-509, 546-011-510, 546-011-511.

2.The case of the petitioner is that the petitioner's father was allotted house site in Perambakkam Village in S.No.271/4 to an extent of 3 cents on 10.05.1971 by the Special Deputy Tahsildar, Assignment of House site Tiruvallur on behalf of the Government of Tamil Nadu and after his death, the petitioner's mother obtained patta for the house site and also constructed a building with shops and obtained individual electricity connection for the shops.

3.The further case of the petitioner is that the petitioner filed W.P.No.22928 of 2017 before this Court seeking to quash the PWD notice indicating the petitioner as an encroacher and in the said writ petition, this Court vide interim order dated 28.08.2017, directed the respondents to disconnect the service connection of one hotel and eight shops, however, the respondents disconnected the electricity service connection of fifteen shops. Aggrieved by the same, the petitioner has filed this writ petition.

4.The learned counsel appearing for the petitioner submitted that this Court directed to respondents to disconnect the service connection of nine shops in which the six service connection mentioned in the prayer is not covered, however, the respondents erroneously disconnected the service connection of fifteen shops including the six service connection mentioned in the prayer, which is not sustainable one.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.In compliance of the interim order dated 28.08.2017 made in W.P.No.22928 of 2017 by this Court, the respondents have disconnected the electricity service connection of the premises. If at all the petitioner has any grievance, he has to approach the Division Bench of this Court. Instead of doing so, the



petitioner has filed this writ petition, which is not maintainable.

7.This writ petition is accordingly dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

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To

1.The Chairman,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Anna Salai, Mount Road,
Chennai - 600 002.

2.The Assistant Electricity Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Perambakkam,
Tiruvallur - 631 402.

+1cc to Mr.D.S.Ramesh, Advocate SR.No.1694

W.P.No.23011 of 2021

And

W.M.P.Nos.24205 and 24406 of 2021

SRA(CO)
CB(18/02/2022)