

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No. 28313 of 2021
and
WMP.No.29895 of 2021

E.Murugesan

.. Petitioner

Versus

1. The Chairman
TANGEDCO
Anna Salai, Chennai.

2. The Assistant Engineer,
Chennai Electricity Distribution Circle/North,
TANGEDCO,
New MGR Nagar, Manali, Chennai-68.

3. Rajabhushan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records on the file of the second respondent in proceedings in Ka.No.U Po/E.Pa/Manali/Va aa/Koo Pugar/No.150/2021-22 dated 02.11.2021 and quash the same as illegal incompetent and without jurisdiction.

For Petitioner : M/s. R.Poornima

For Respondents : Mr. L.Jai Venkatesh
Standing Counsel (TANGEDCO)

O R D E R

Mr.L.Jai Venkatesh, learned Standing counsel takes notice for the respondents 1 & 2. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2.The present writ petition has been filed seeking to quash the proceedings in Ka.No.U Po/E.Pa/Manali/Va aa/Koo Pugar/No.150/2021-22 dated 02.11.2021.

3. The case of the petitioner is that the petitioner's sister viz., Renuka purchased property at Door No.12, S.No.198, C.V.Raman Street, Manali Chennai measuring an extent of 1200 square feet from D.Suryakumar under document No.3046/91. Out of which, she handed over 550 sq. ft. to the petitioner and retained the balance land with her. The petitioner raised construction in his portion and he is in possession and enjoyment of the said property. The petitioner's sister sold her property to one Elumalai and Ganapthi. In turn, they sold the property to one Rajabhushan viz., third respondent.

4. It is the further case of the petitioner that at the instance of the said Rajabhushan, the respondents disconnected the electricity service connection. Thereafter, the petitioner filed a suit in O.S.No.60/2020, on the file of the District Munsif, Thiruvottiyur for permanent injunction. On 21.12.2020, the District Munsif, granted interim injunction in I.A.No.1/2020, the respondents connected service connection. Again, on 02.11.2021, the petitioner was given a notice by the respondents 1 & 2 for disconnection of the service connection. Challenging the same, the present writ petition has been filed before this Court.

5. When the matter is taken up for hearing, the learned Standing Counsel appearing on behalf of the respondents 1 & 2 submitted that interim order has already been granted in favour of the petitioner by the learned District Munsif, Thiruvottiyur in I.A.No.1 of 2020 in O.S.No.60/2020. In view of the above, the Electricity board have no intention to disconnect the petitioners service connection.

6. Recording the submission of the learned Standing Counsel, this Writ Petition stands closed. No 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
 TANGEDCO
 Anna Salai, Chennai.
2. The Assistant Engineer,
 Chennai Electricity Distribution Circle/North,
 TANGEDCO, New MGR Nagar,
 Manali, Chennai-68.

+1cc to Mr. L.Jai Venkatesh, Advocate, S.R.No.1156
+1cc to M/s. R.Poornima, Advocate, S.R.No.511

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NSK 24/01/2022