



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3112 of 2022

and

W.M.P (MD) Nos.2721 & 2722 of 2022

WEB COPY

Kaliyammal

... Petitioner

Vs.

1.The Assistant Executive Engineer,
Operations & Maintenance - Rural,
TANGEDCO,
Aranthangi Taluk & Town,
Pudukkottai District.

2.The Executive Engineer,
Operations & Maintenance - Distribution,
TANGEDCO,
Aranthangi Taluk & Town,
Pudukkottai District.

3.The Assistant Engineer,
Operations & Maintenance - TANGEDCO,
Kodikulam,
Avudaiyarkovil Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned order passed by the third respondent in his letter bearing No.U.Mi.Po/Ei & Ka/Kodikulam/Ko.Akkiramippu/A.No/041/2021-2022, dated 08.02.2021 and quash the same as arbitrary and illegal.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel

O R D E R

This writ petition has been filed challenging the impugned letter of the third respondent dated 08.02.2022.

2.According to the petitioner, electricity service connection was granted to him for his property at Door No.400, Maramangalam,
<https://hcservices.ecourts.gov.in/hcservices>



Velvarai Village, Avudaiyarkovil Taluk, Pudukkottai District, only after the petitioner has produced all the necessary documents which includes his sale deed dated 29.11.2018, house tax receipt dated 07.07.2018. However, according to him under the impugned communication of the third respondent, the third respondent has threatened disconnection of his electricity service connection. According to the petitioner, the impugned letter sent by the third respondent is arbitrary and illegal.

3. Heard Mr.R.Paranjothi, for Mr.K.Baalasundharam, learned Counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of the respondents.

4. Admittedly, no final orders have been passed by the respondents for disconnection of the petitioner's electricity service connection which was granted to him earlier. As seen from the impugned communication of the third respondent they have only intimated to the petitioner that due to wrong disclosure of survey number in the earlier application seeking for electricity service connection, the respondents have mistakenly granted electricity service connection in favour of the petitioner which will have to be disconnected now. However, the same is disputed by the petitioner as seen from the affidavit filed in support of this writ petition. Since electricity service connection has already been granted in favour of the petitioner, whether it was granted mistakenly or not will have to be inquired into after giving opportunity to the petitioner. Therefore, before passing final orders for disconnection, the petitioner shall be afforded a fair opportunity of hearing including granting him the right of personal hearing and only thereafter the third respondent will have to pass final orders and decide as to whether the electricity service connection granted to the petitioner will have to be disconnected or not.

5. With the aforesaid direction, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (W)

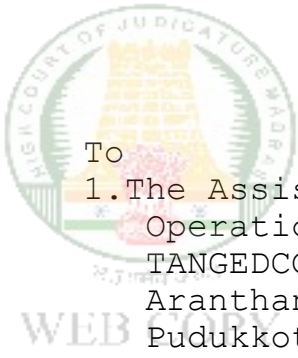
// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

1.The Assistant Executive Engineer,
Operations & Maintenance - Rural,
TANGEDCO,
Aranthangi Taluk & Town,
Pudukkottai District.

2.The Executive Engineer,
Operations & Maintenance - Distribution,
TANGEDCO,
Aranthangi Taluk & Town,
Pudukkottai District.

3.The Assistant Engineer,
Operations & Maintenance - TANGEDCO,
Kodikulam,
Avudaiyarkovil Taluk,
Pudukkottai District.

+1 CC to Mr.S.DEENADHAYALAN, Advocate (SR-7576[F] dated 21/02/2022)

ORDER MADE IN
W.P. [MD]No.3112 of 2022
17.02.2022

PKP/03.03.2022/3P/5C