



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fifth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

WMP (MD) No.4870 of 2022
IN
WP (MD) No.6264 of 2022

SAHAYA REENA

... PETITIONER/PETITIONER

Vs

- 1 THE ASSISTANT EXECUTIVE ENGINEER,
TAMILNADU ELECTRICITY BOARD,
SS CAMPUS, PERUMALPURAM,
KOTTARAM-629703,
KANYAKUMARI DISTRICT.
- 2 THE JUNIOR ENGINEER
TAMILNADU ELECTRICITY BOARD,
KANYAKUMARI DISTRIBUTION DIVISION,
KANYAKUMARI AND POST-629702.
- 3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 J.JANCY SUGUMAR

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue an interim direction to restore the service connection in consumer No.07-142-009-589 given to the petitioner in the premises in resurvey No.551/8A, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District pending disposal of the main writ petition.

Prayer in WP (MD) . 6264/ 2022 :

To issue a Writ of Mandamus or any other writ, order or direction in the nature of writ directing the respondents to restore the electricity service connection in consumer No.07-142-009-589

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given to the petitioner in the premises in resurvey No.551/8A, Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District and consequently forbear the 2nd Respondent from taking any coercive action in respect of the service Connection No.07-142-009-589.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.DILIP KUMAR .N, Advocate for the petitioner and of MR.S.DEENADHAYALAN, Standing Counsel on behalf of the Respondent Nos.1 & 2 and of MR.B.SARAVANAN, Additional Government Pleader on behalf of the Respondent Nos.3 & 4, the court made the following order:-

The petitioner has sought for an interim direction in W.M.P.(MD).No.4870 of 2022 seeking for restoration of electricity service connection on the ground that arbitrarily and illegally, the electricity service connection standing in her name was disconnected by the second respondent without giving any notice to her. According to the petitioner, she came to know about the impugned order only after the same was pasted in the premises of the petitioner.

2.As seen from the impugned order which is found in Page No.75, the second respondent has not given any notice to the petitioner before disconnecting her electricity supply. The petitioner has also produced documents along with the Writ Petition in support of her case that she is the owner of the property. It is for the respondents to examine the same on merits and in accordance with law. But, in so far as the impugned order is concerned, since no opportunity of hearing has been granted to the petitioner before disconnecting the electricity supply, this Court is inclined to grant the interim direction sought for by the petitioner in W.M.P.(MD).No.4870 of 2022.

3.For the foregoing reasons, this Court is directs the first respondent to restore the electricity service connection to the petitioner in respect of the electricity service connection bearing Consumer No.07-142-009-589 within a period of two (2) days from the date of receipt of a copy of this order.

4.With the aforesaid direction, the Writ Miscellaneous Petition is disposed of.

sd/-
05/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE ASSISTANT EXECUTIVE ENGINEER,
TAMILNADU ELECTRICITY BOARD,
SS CAMPUS, PERUMALPURAM,
KOTTARAM-629703,
KANYAKUMARI DISTRICT.

2 THE JUNIOR ENGINEER
TAMILNADU ELECTRICITY BOARD,
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3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.

4 THE SUB INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-3090[I] dated 07/04/2022)

ORDER

IN

WMP(MD) No.4870 of 2022

IN

WP(MD) No.6264 of 2022

Date :05/04/2022

RS/PN/SAR.2 (11.04.2022) 3P-7C