



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.8972 of 2022

and

W.M.P (MD)No.6476 & 6477 of 2022

N.Somasekar

... Petitioner

Vs

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Sivagangai.

2.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karaikudi.

3.The Assistant Accounts Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Revenue Branch,
Karaikudi.

4.The Assistant Electrical Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karaikudi Town/North,
Karaikudi.

... Respondents

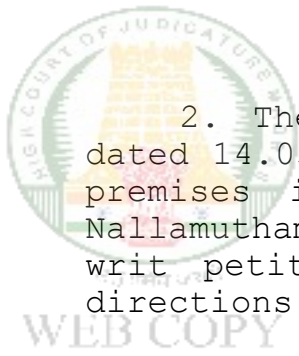
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari, to call for the records relates to the notice of the fourth respondent in K.No.U.Mi.Po/Na/Va/Karai/Ko.Ni.Ma.Va/A.No.46/2022 dated 14.03.2022 and quash the same as it is arbitrary.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the respondents.



2. The petitioner has been served with the impugned demand, dated 14.03.2022. It is seen that the petitioner had been given the premises in question by his mother, Nallamuthammal. The said Nallamuthammal had already filed W.P(MD)No.5662 of 2011 and the said writ petition is disposed of on 10.02.2021, with the following directions:-

4. Therefore, I dispose of the writ petition by permitting the petitioner to file a petition before the jurisdictional Consumer Grievance Redressal Forum. If such a petition is filed within a period of four weeks from the date of receipt of a copy of this order, the said Forum will entertain the same without reference to limitation and any other issues with regard to maintainability.

5.

6. I therefore direct the respondent to keep the impugned demand in abeyance till the petition to be filed by the petitioner herein before the Forum. If the petitioner fails to file such a petition within the aforesaid period, this order now passed by this Court would stand vacated. All the contentions of the petitioner are left open. No costs. Consequently, connected miscellaneous petition is closed.

3. The impugned communication has been issued only in terms of the said order, dated 20.02.2021. The petitioner cannot claim the higher right than his mother / settler. Nothing survives for further adjudication.

4. The writ petition stands dismissed, with the liberty to the petitioner to file an appropriate miscellaneous petition in W.P(MD) No.5662 of 2011. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Mga



To

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Sivagangai.

2.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karaikudi.

3.The Assistant Accounts Officer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Revenue Branch,
Karaikudi.

4.The Assistant Electrical Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Karaikudi Town/North,
Karaikudi.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-24468[F]
dated 07/06/2022)

+1 CC to M/s.R.SURIYANARAYANAN, Advocate (SR-24557[F]
dated 08/06/2022)

W.P.(MD)No.8972 of 2022
06.06.2022

RD(15.06.2022) 3P 7C