

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22356 of 2022

Kambakudi

..Petitioner

Vs

1.The Executive Engineer(TNEB),
No.126, Mision Hospital Building,
First Floor,
East Veli Street,
Madurai.

2.The Assistant Electric Engineer,
Alanganallur Electrical Department,
Madurai.

3.Chidambaram

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 and 2 to cancel the electric connection in favour of the third respondent in respect of Survey No.27, Sub-Division 10, 11A, 11V, 3B2, 3C, 3D,6,78 and 9 to an extent of 85 cents, situated at Malaipatti Village, Madurai North Taluk, Alanganallur Sub-Division, Madurai North RD, Madurai District based on the Petitioner's representation, dated 9.9.2022

For Petitioner :Mr.S.Veerapandi Selvaraj

For Respondents :Mr.S.Deenadhayalan
1 and 2 Standing Counsel

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondents 1 and 2 to cancel the electric connection in favour of the third respondent in respect of Survey No.27, Sub-Division 10, 11A, 11V, 3B2, 3C, 3D,6,78 and 9 to an extent of 85 cents, situated at Malaipatti Village, Madurai North Taluk, Alanganallur Sub Division, Madurai North RD, Madurai District based on the Petitioner's representation, dated 9.9.2022.

2.Mr.S.Deenadhayalan, learned Standing Counsel takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the Petitioner is residing in S.No. 27, measuring an extent of 85 cents situated at Malaipatti Village, Madurai North Taluk, Alanganallur Sub-Division, Madurai North RD, Madurai District and he was in absolute possession and enjoyment of the same without any hindrance. In these circumstances, the petitioner has went abroad and hence, he gave the property to the third respondent to take care of the same. But the third respodnent misused the same and tried to sell the said property and also got electricity connection by creating false documents. Therefore, the Petitioner sent a representation dated 9.9.2022 to the third respondent to cancel the electricity connection given in favour of the third respodnent in respect of the

Petitioners' above property. Hence the Petitioner has filed the present Writ Petition for the relief stated supra.

4.The learned Standing Counsel appearing for the respondents 1 and 2 would submit that the Petitioner's representation will be disposed of in accordance with law by the third respondent within the time stipulated by this Court.

5.In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the Petitioner, dated 9.9.2022 submitted for cancelling the electricity connection said to have been given in favour of third respondent, who has been asked to take care of the Petitioner's above property and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 4 weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ Petition stands disposed of. No costs.

22.09.2022

Index : Yes/No

Internet:Yes/No

vsn

To

- 1.The Executive Engineer(TNEB),
No.126, Mision Hospital Building,
First Floor,
East Veli Street,
Madurai.
- 2.The Assistant Electric Engineer,
Alanganallur Electrical Department,
Madurai.

V.BHAVANI SUBBAROYAN,J

ORDER MADE IN
W.P(MD)No.22356 of 2022

22.09.2022

