



WEB COPY

W.P.(MD)No.22051 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.22051 of 2021

and

W.M.P. (MD)No.18660 of 2021

R.Ganapathi

... Petitioner

Vs.

- 1.The Superintending Engineer,
O/o. the Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Tirunelveli-11.
- 2.The Executive Engineer (Distribution),
O/o. the Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Near N.G.O.Colony,
Sankarankovil,
Tenkasi District.
- 3.The Assistant Executive Engineer (Town),
O/o. the Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Near N.G.O Colony,
Sankarankovil,
Tenkasi District.
- 4.The Assistant Engineer (Town),
O/o. the Assistant Electrical Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Near N.G.O.Colony,
Sankarankovil,
Tenkasi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to restore the electricity connection of the petitioner's home in Connection No.07041032-106 situated at No.3/65, North Street, Karuthanur, Chidambarapuram Post, Sankarankovil Taluk, Tenkasi District by considering the petitioner's representation dated 22.10.2021 and legal notice dated 22.11.2021 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.S.Deenadhayalan



O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents.

2. The petitioner is having electricity connection for the petition mentioned house. The supply to the petition mentioned house had been cut off by the respondents. Seeking its restoration, this Writ Petition has been filed.

3. The respondents have filed a counter affidavit. The stand of the respondents is that on 19.08.2021 at about 1.15 p.m., the third respondent along with the Electricity Enforcement Team conducted surprise raid and found that the petitioner had committed electricity theft by adopting hook method.

4. The petitioner's counsel would point out that allegation is in respect of S.C.No.493 which is a free agricultural service connection. It is in the name of one Kasi Rajan.

5. The learned standing counsel would point out that the petitioner accepted his guilt and paid a sum of Rs.2,000/- towards compounding charges on 19.08.2021. The petitioner had sent a legal notice dated 22.11.2021 alleging that he was made to pay the compounding charges under coercive circumstances.

6. Be that as it may, the case on hand pertains to disconnection of the electricity supply for S.C.No.106. If according to the respondents, some illegal obstruction of electricity had taken place in respect of S.C.No.493, then, action can be personally taken against the petitioner. _ My attention has not been drawn to any provision of law which enables the respondents to take such punitive action. The respondents are directed to restore the petition mentioned electricity connection forthwith and without any delay.

7. The Writ Petition is allowed. I make it clear that the outcome of this writ petition will not have any bearing on the respondents from taking any action against the petitioner herein in respect of the illegal drawal of electricity that had taken place in respect of S.C.No.493. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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TO

WEB COPY

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+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-24959[F] dated
10/06/2022)

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-25261[F] dated
13/06/2022)

W.P. (MD) No.22051 of 2021
09.06.2022

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TR (14.06.2022) 3P 7C