

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24140 of 2022

Manickam

..Petitioner

Vs

- 1.The Assistant Director,
District Industrial Centre,
Konam,
Nagercoil,
Agastheeswaram Taluk,
Kanyakumari District.
- 2.The Junior Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Near Market,Myladi,
Agastheeswara Taluk,
Kanyakumari District.
- 3.The Secretary/Supervisor,
District Industrial Centre,
Konam,
Nagercoil,
Agastheeswaram Taluk,
Kanyakumari District.
- 4.M/s. The Myladi Stone Workers Cooperative Cottage
Industrial Society Limited,
represented by its President,
Esakkimuthu Asari,
No.192, Marthandam,
Myladi Post,
Agastheeswaram Taluk,
Kanyakumari District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,

praying this Court to issue a Writ of Mandamus directing the second respondent to restore the Petitioner's electricity service connection in S.C.No.M5-244, by considering the Petitioner's representation, dated 15.09.2022.

For Petitioner :Mr.V.Karuna

For Respondent-1:Mr.D.Gandhiraj
Special Government Pleader

For Respondent-2:Mr.S.Deenadhayalan

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the second respondent to restore the Petitioner's electricity service connection in S.C.No.M5-244, by considering the Petitioner's representation dated 15.09.2022.

2.Mr.D.Gandhiraj, learned Special Government Pleader takes notice for the first respondent and Mr.S.Deenadhayalan, learned counsel takes notice for the second respondent. 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 he is working as a Stone Sculpture for the past 35 years and the Petitioner and his friends formed an Association in the name and style of "The Myladi Stone Workers Cooperative Cottage Industrial Society Limited" and the same was

registered vide Registration No.192. For the same, the Petitioner's grand father allotted a land comprised in S.No.271/1, measuring an extent of 2 cents situated at Kulasekarapuram Village, Agastheeswaram Taluk, Kanyakumari District from the society to do stone sculpture works. The second respondent has also issued Society Certificate to the same. A store room was constructed in the said land and at the time of entering into a contract, 10% of the total contract amount has to be deposited in the society and the remaining amount will be taken as salary for the work. The Petitioner is the President of the above society and the society is functioning with sufficient money. The fourth respondent due to business rivalry has disconnected the electricity service connection in S.C.No.M5-244 in the Petitioner's working room. Hence the Petitioner submitted a representation on 15.09.2022 to the second respondent to restore the electricity service connection. Since no action was taken, the Petitioner has come forward with the present Writ Petition for the relief stated supra.

4.The learned Standing Counsel appearing for the second respondent Electricity Board would submit that they are not intending to disconnect the electricity service connection in S.C.No.M5-244 in the Petitioner's working room and the same will continue and appropriate orders will be passed on the representation of the Petitioner within the time stipulated by this Court.

5. In view of the above submission, this Court directs the second respondent to consider the Petitioner's representation, dated 15.09.2022 given to restore Petitioner's electricity service connection in S.C.No.M5-244 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of four 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.

19.10.2022

Index : Yes/No

Internet: Yes/No

vsn

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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN
W.P(MD)No.24140 of 2022

19.10.2022

