



W.P.No.10770 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.10770 of 2023

Balaraman

... Petitioner

Vs.

1. The Chairman,
Puducherry Generation & Distribution,
Corporation Limited,
Puducherry.
2. The Superintending Engineer,
Chief Electricity Generation,
& Distribution / Maintenance,
Puducherry State.
3. The Assistant Engineer,
Kirumampakkam Sub-Station,
Kattukuppam, Bahour Commune,
Puducherry State.
4. The Executive Engineer,
Marappalam Power Station,
Puducherry.
5. The Junior Engineer,
Kirumampakkam Sub-Station,
Kattukuppam, Bahour Commune,
Puducherry State.



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6. Kumaran @ Karunanidhi

7. Meenatchi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 not to provided electricity service connection to the respondents 6 & 7 in R.S.No.88/28, Mahatma Gandhi Street, Kattukuppam, Bahour, Puducherry – 607 402 as per the petitioner's representations dated 10.02.2023, 27.02.2023 & 17.03.2023.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.A.Tamilvanan
Additional Goverment Pleader
for R1 to R5

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 5 not to provide electricity service connection to respondents 6 & 7 in R.S.No.88/28, Mahatma Gandhi Street, Kattukuppam, Bahour, Puducherry – 607 402 as per the petitioner's representations dated 10.02.2023, 27.02.2023 & 17.03.2023.

2. Since no adverse order is being passed against respondents 6 and 7, notice to respondents 6 and 7 is dispensed with.



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3. It is the case of the petitioner that alleging the encroachment by respondents 6 and 7, in above said property which the petitioner claims was allotted for construction of library for the public use, the petitioner has filed a suit in O.S.No.3177 of 2021, before the II Additional District Munsif Court, Puducherry for permanent injunction and mandatory injunction. Simultaneously, he has made a representation to Bahour Commune Panchayat to disconnect the water connection to said property. Till date water connection has not been disconnected. He has further sent a representation to the respondents 2 to 4 requesting them not to provide electricity connection to the said property. Since no action has been taken till date, the petitioner has filed the present writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice if this Court issues a direction to the third respondent to consider the petitioner's representations dated 10.02.2023, 27.02.2023 and 17.03.2023 and pass appropriate orders within the time frame that may be fixed by this Court.

5. Learned Additional Government Pleader appearing for the



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respondents 1 to 5 has no objection for the said order being passed.

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6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case directs the third respondent to consider the petitioner's representations dated 10.02.2023, 27.02.2023 and 17.03.2023 on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the aggrieved persons if any including the respondents 6 and 7 within a period of four (4) weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

10.04.2023

Index : Yes / No
Speaking order / Nonspeaking order
Neutral Citation Case : Yes / No
(rap)



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To
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M.DHANDAPANI, J.

(rap)

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