



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM:

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

Rev.Appln No. 66 of 2023
in W.P No.9113 of 2023

Bongarala Chandravathi

..Review Petitioner

Vs.

1. Bogarala Venkata Kedaranath

2. The Superintending Engineer
MP & ORS,
Electricity Department,
Puducherry.

3. The Assistant Executive Engineer,
Electricity Department, Yanam.

...Respondents

PRAYER: Review application filed under Order 47 Rule 1 r/w.Section 114 of Civil Procedure Code to allow the review and set aside the order dated 28.03.2023 made in W.P.no.9113 of 2023.

For Petitioner : Mr.V.Kathirvelu

For Respondents : Mr.A.Tamilvanan AGP(P) RR2 and 3
Mr.V.V.Sairam R1

ORDER

This review application has been filed seeking to review the order dated 28.03.2023 passed in W.P.No.9113 of 2023 and allow the Review



Petition. This Court, after elaborately hearing the learned counsel on both sides, passed an order, on merits, disposing of the writ petition, by order dated 28.03.2023.

2. On 28.03.2023, this Court disposed of the writ petition in W.P.No.9113 of 2023 directed the petitioner to pay the entire current consumption charges of Rs.9,781/- and directed him to open the main gate to normalise the position of the entrance in the ground floor so as to enable the respondents to restore the service connection in his favour.

3. It was the grievance of the writ petitioner that initially the second respondent electricity board issued a notice to the review petitioner to shift the meter from first floor to ground floor. Pursuant to which, the writ petitioner has shifted the meter from first floor to ground floor. Later, the very same respondent taken U turn and directed the petitioner to shift the meter from ground floor to first floor, which is non-est in law.

4. Heard the learned counsel for the petitioner and perused the materials available on record.



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5. On a perusal of records, it is seen that the writ petitioner is the younger son of the review petitioner. The entire properties stand in the name of review petitioner, in which, the writ petitioner and his elder brother stayed along with his mother in different portion in the same building. Admittedly there was a dispute between the family members. It is also equally undisputed fact that the review petitioner and her elder son are residing in the southern side of the house, whereas the writ petitioner/younger son is residing in the northern side of the same house. Admittedly, there was several meters erected in the said property. The disputed Service connection bearing No.3993A2 has been erected in the first floor, which was shifted to the ground floor. Thereby, the review petitioner could not get electricity connection for first floor south portion. Hence, the present review petition has been filed.

6. It is came to know that all the service connection stand in the name of the review petitioner. However, the action of the writ petitioner is contrary to the rules and regulations. At this stage, the review petitioner wants to normalise the disputed meter, but, the writ petitioner has prevented to do so.

7. In such view of the matter, the earlier order in W.P.No.9113 of



2023 dated 28.03.2023 is hereby recalled and there shall be a direction to the respondents to restore the service connection in its original position within a period of two weeks from the date of receipt of a copy of this order after receipt of the dues from the review petitioner and the writ petitioner. The writ petitioner and the review petitioner are directed to pay the entire dues to the Electricity Board forthwith.

8. With the above direction, the Review Petition is disposed of. No costs.

18.07.2023

Index : Yes/No
Internet : Yes/No
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To
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Electricity Department,
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Electricity Department, Yanam.



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M.DHANDAPANI,J.

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