



W.P.No.12034 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.12034 of 2023

and

W.M.P.No.11882 of 2023

Shakila

... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO),
Rep. by its Chairman Cum Managing Director,
6-Floor, TANTRNSCO Building,
144, Anna Salai, Chennai-600 002.

2. The Superintendant Engineer/South-I/Chennai,
Tamil Nadu Generation and Distribution,
Corporation Ltd., (TANGEDCO),
110 KV Complex, K.K.Nagar,
Chennai-600 078.

3. The Assistant Engineer, (O & M),
Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO),
333/11 KV Alandur SS Complex,
623, MKN Road, TNEB,
Alandur, Chennai-600 016.

4. T. Abbas

5. M/s. Shabab U1 Ediz Zahabi,
a registered Society,



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No.55, Dr.Syeda Mohamed
Surhanuddin Street,
Chennai-600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to restore the Electricity service connection, having EB card No.241-030-346 to the petitioner's House bearing Door No.1A/66, Tiruvalluvar Nagar, Alandur, Chennai-600 016, which was disconnected by the third respondent on 05.04.2023, forthwith as the electricity service connection is basic amenity.

For Petitioner : Mr.P.Thiagarajan

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel [R1 to R3]

ORDER

The Writ Petition is filed seeking for a Writ of Mandamus, to direct the third respondent to restore the electricity service connection, having EB card No.241-030-346 to the petitioner's house bearing Door No.1A/66, Tiruvalluvar Nagar, Alandur, Chennai-600 016, which was disconnected by the third respondent on 05.04.2023, forthwith as the electricity service connection is basic amenity.

2. Since no adverse order has been passed against the respondents 4 and 5, notice to the respondents 4 and 5 is dispensed with.



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3. The case of the petitioner is that the subject land in T.S.No.122/4 of Adambakkam Village originally belongs to Tiruvannamalai Adeenam and the petitioner's parents were lessee. Thereafter, upon enactment of Minor Inam Abolition Act 1963, settlement patta was issued in favour of the petitioner's father and eight other persons and the petitioner is residing in the said house from the year 1999. The petitioner's father executed a sale deed in the name of the fourth respondent in respect of T.S.No.122/4 part and another sale deed in favour of the fifth respondent in respect of T.S.No.122/4 part as the premises consisting of four portions. The settlement patta was challenged before the Tribunal and ultimately, patta granted in favour of the petitioner's father and others were confirmed.

3.1. It is the further case of the petitioner that the petitioner's father had filed O.S.No.63 of 2017 seeking for a direction to the fourth respondent to execute a sale deed and the same is pending and a Writ Petition in W.P.No.33294 of 2017 was also filed challenging the Appellate Tribunal order granting patta and the same is also pending. Upon the demise of the petitioner's father, the fourth respondent had threatened the petitioner and other occupants to vacate the premises and the petitioner has filed a representation dated 04.04.2023 before the third respondent and also made representation before the



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second respondent on 05.04.2023. However, the fourth respondent had fraudulently executed a sale deed in his name from the fifth respondent and by using illegal means, he has disconnected the power supply to the premises and the petitioner's family is struggling without any source of income. In spite of the fact that, the petitioner has been paying the electricity bills regularly and is also in possession of the EB Card in his name, the electricity service connection has not been given to the premises, which was disconnected by the third respondent on 05.04.2023. Therefore, the petitioner filed the above writ petition seeking for restoration of electricity service connection.

4. Though very many grounds have been raised in the above writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the third respondent to restore the Electricity service connection to the petitioner's house, which was disconnected by the third respondent on 05.04.2023, within a time frame that may be fixed by this Court.

5. The learned Standing Counsel appearing for the respondents 1 to 3 submits that, as on date, the service connection stands in the name of the fourth respondent and the service connection is not disconnected. He also submits



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that, when the electricity service connection is not disconnected, there is no question of restoration of electricity service connection. However, the dispute is in between the petitioner and the fourth respondent, which has to be resolved only before the competent Civil Court, not before the respondents.

6. In view of the submissions made by the learned Standing Counsel appearing for the respondents 1 to 3, no relief can be granted in the above writ petition.

7. Accordingly, the Writ Petition is closed granting liberty to the petitioner to workout the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

20.04.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

To

1.The Chairman Cum Managing Director,
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M.DHANDAPANI, J.

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