



WEB COPY



W.P.No.14610 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.14610 of 2023

and

W.M.P.No.14087 of 2023

L.Jebaraj
S/o.V.Lasar,
Proprietor of M/s.Prince Corporation,
No.48 A, Perambur High Road,
Jamaliah, Chennai - 600 012.

... Petitioner

Vs.

1.The Chairman,
TANGEDCO,
Anna Salai, Chennai - 600 002.

2.The Assistant Executive Engineer,
Cooks Road,
Chennai - 600 012.

3.The Madarasa Jamaliah Wakf,
Represented by its Hereditary Muthavalli
Janab Alhaj MJS Sultan,
No.30, Perambur High Road,
Chennai - 600 012.

4.M/s.Eureka Chemicals,
48A, Perambur High Road,
Jamalia, Perambur, Chennai - 600 012.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, forbearing the second respondent and subordinate from transferring the electricity service connection name from the name of M/s.Eureka Chemicals to Madarasa Jamalia Wakf on the objection dated 17.04.2023.

For Petitioner : Mr.G.Appavu

For Respondents :

For R1 & R2 : Mr.L.Jaivenkatesh

ORDER

Mr.L.Jaivenkatesh, learned counsel takes notice on behalf of the first and second respondents.

2. This writ petition is disposed at the time of admission dispensing with notice on the private respondent Nos.3 and 4 as no adverse orders are being passed at this stage. It will suffice to state that the petitioner and the third respondent are in dispute since 2004. The petitioner appears to be a tenant of the third respondent and that the third respondent had initiated proceedings for recovery of possession of property from the petitioner in



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O.S.No.3148 of 2004.

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3. In the aforesaid suit, the petitioner appears to have filed a Counter Claim for purchasing the land under Section 9 of the Chennai City Tenants Protection Act, 1921. It appears that the suit was dismissed and the First Appeal was also dismissed against the same, second appeals are pending before this Court in S.A.No.286 of 2016 and S.A.No.1122 of 2019 at the behest of the third respondent and the petitioner herein respectively.

4. Pending disposal of the above appeals, the third respondent appears to have taken steps for transferring the EB connection, which is standing in the name of the fourth respondent. It appears that the petitioner has given objection dated 17.04.2023. Since there are rival rights to the parties, no directions can be granted at this stage.

5. Therefore, this Writ Petition is disposed of by directing the official respondent Nos.1 and 2, to consider and pass appropriate orders on the representation/objection dated 17.04.2023 of the petitioner. Needless to state, before passing any such order, the official respondent Nos.1 and 2 shall



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give due notice to the private respondent Nos.3 and 4. No costs.

Consequently, connected Writ Miscellaneous Petition is closed.

05.05.2023

Speaking Order/Non-Speaking Order

Index : Yes/No

Neutral Citation : Yes/No

jas/arb

To

- 1.The Chairman,
TANGEDCO,
Anna Salai, Chennai - 600 002.
- 2.The Assistant Executive Engineer,
Cooks Road,
Chennai - 600 012.



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