



WEB COPY



W.P.No.13430 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.13430 of 2020
and
W.M.P.No.16577 of 2020**

M/s.SRI Padmavathi Ammal Charitable Trust,
Represented by its Managing Trustee,
Mr.Raja,
No.S 59, Income Tax First Street,
Adambakkam,
Chennai – 600 088.
Petitioner

...

Vs.

1. The Chairman,
10th Floor, NPKRR Maligai,
No.144, Anna Salai,
Chennai – 600 002.
2. The Chief Engineer Distribution
(Chennai South),
NPKRR Maligai, 5A Block,
Electricity Avenue,
No.144, Anna Salai,
Chennai – 600 002.



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3. The Executive Engineer,
S.S.Complex, 1st Floor,
Anna Main Road,
K.K.Nagar,
Chennai – 600 078.

4. The Assistant Engineer,
TNEB, Alandur,
Chennai – 600 016.

5. S.Rm.M.Ct.M.Thiruppani Trust,
Represented by its Trustee,
Mr.M.Ct.P.Chidambaram,
No.202, Old No.742 Anna Salai,
Chennai – 600 002.

... Respondents

(R5 impleaded in W.M.P.No.24570 of 2020 in W.P.No.13430
of 2020 vide order dated 12.06.2023 by MDIJ)

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to provide the Electricity Service Connection No.241-030-559 to the petitioner's property situated at D.No.56C, Thiruvalluvar Nagar, Alandur, Chennai – 600 016 and consequently, direct the respondents not to take any coercive action against the petitioner pertains to Meter No.162375-BENTEXT (Electricity Service Connection No.241-030-559-OTR No.016722) without following the due process of law.

For Petitioner : Mr.S.Sathyaraj

For Respondents : Mr.L.Jai Venkatesh for R1 to R4
Mr.S.Ramesh for R5



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ORDER

This Writ Petition has been filed for a direction to the respondents to provide the Electricity Service Connection No.241-030-559 to the petitioner's property situated at D.No.56C, Thiruvalluvar Nagar, Alandur, Chennai – 600 016 and consequently, direct the respondents not to take any coercive action against the petitioner pertains to Meter No.162375-BENTEXT (Electricity Service Connection No.241-030-559-OTR No.016722) without following the due process of law.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property situated at D.No.56C, Thiruvalluvar Nagar, Alandur, Chennai – 600 016, however the same was disputed by the newly impleaded fifth respondent, for which, the Civil Suit is pending before the competent Civil Court in O.S.No.211 of 1998 on the file of the learned Additional District Munsif, Alandur. Prior to the institution of the suit, the petitioner obtained an electricity connection in its property and subsequently, the same was disconnected. However, the petitioner has



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not challenged the disconnection order and now filed the Writ Petition only for effecting service connection and not to take any coercive steps against the petitioner's property.

3. However, the learned counsel restricted his prayer to grant liberty to the petitioner to make fresh application for the service connection in its property .

4. Recording the said submission made by the learned counsel for the petitioner, this Writ Petition is dismissed with a liberty to the petitioner to make fresh application with regard to service connection before the respondent Electricity Board in the manner known to law after succeeding in the suit pending before the Civil Court. No costs. Consequently, connected Miscellaneous Petition is closed.

12.06.2023
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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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M.DHANDAPANI,J.

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