



WEB COPY



W.P. No.2405 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.2405 of 2018

Dr.L. George Moses

...

Petitioner

VS.

1. The Chief Engineer (Distribution),
Chennai South Region,
TANGEDCO,
No.144, Anna Salai,
Chennai – 600 002.

2. The Assistant Engineer,
TANGEDCO,
Ayyapanthangal,
Kattupakkam,
Chennai – 600 056.

3. Ayyalu Naidu *

* R3 impleaded vide Order dated 26.03.2021

in W.M.P. No.20834 of 2018.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to remove the electricity service in petitioner property bearing Plot No.3, Kumari Nagar, Ayyappanthangal, Chennai – 600 116.



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For petitioner : Mr.C.K.M.Appaji
For respondents : Mr.L. Jaivenkatesh

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ORDER

This writ petition has been filed seeking for issuance of a writ of Mandamus to direct the respondents to remove the electricity service connection in the petitioner's property bearing Plot No.3, Kumari Nagar, Ayyappanthangal, Chennai – 600 116, within a time frame to be fixed by this Court.

2. It is the case of the petitioner that he is the absolute owner and in possession of the aforesaid property. He purchased the said property measuring an extent of 1800 sq. ft. from M/s.Kumari Makkal Narpani Mandram represented by the Secretary by way of a registered Sale Deed in Doc. No.4782 of 1988 on the file of District Register, Madras South on 16.12.1988. While so, suddenly an illegal electricity service connection was given in the shed belonging to the petitioner. Subsequently, he made representation to the respondents with regard to disconnection of illegal electricity connection, which has not been responded. At the time of enquiry, he came to know that some land grabbers with the connivance of the 2nd respondent fabricated certain



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documents and obtained commercial connection to his property in the name of the 3rd respondent. By ventilating the aforesaid grievances, he has come up with this writ petition praying for appropriate directions.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representations dated 11.08.2014 and 04.09.2014 and pass orders on merits within a time frame to be fixed by this Court.

4. The learned Government Advocate appearing for respondents 1 & 2 has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court. Since no adverse orders are passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the petitioner to



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submit a fresh representation along with a copy of this order to the 2nd respondent, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the 2nd respondent shall pass appropriate orders, on merits and in accordance with law after providing an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of six weeks thereafter.

7. This writ petition is disposed of with the aforesaid directions.

No costs.

08.03.2023

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2



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M.DHANDAPANI, J.

vsi2

To

1. The Chief Engineer (Distribution),
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TANGEDCO,
No.144, Anna Salai,
Chennai – 600 002.

2. The Assistant Engineer,
TANGEDCO,
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