



Writ Petition No.16184 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 9/3/2023

C O R A M

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Writ Petition No.16184 of 2018

V.Vijaya

...

Petitioner

Vs

1. The Assistant Engineer
TANGEDCO/TNEB
Kumananchavadi Village
Seneerkuppam Village
Poonamallee Taluk
Chennai 600 056.

2. B. Manoharan

3. The Tahsildar
Poonamallee
Chennai 600 056.

4. The Revenue Inspector
Poonamallee
Chennai 600 056.

...

Respondents

(R.R.3 and 4 impleaded, vide, order,
dated 5/1/2023 made in W.M.P.No.
18177 of 2019 in W.P.No.16184 of 2018
by CVKJ).



Writ Petition No.16184 of 2018

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to restore the electricity in consumer No.308 005 470 and 308 005 1332 at No.4/111, Vaniyar Street, Sennirkuppam, Poonamallee Taluk, Thiruvallur District, comprised in Grama Natham S.No.82/1 New Survey No.153/44 measuring to an extent of 3025 sq.ft as the same is not covered in the order passed by this Court in W.P.No.28791 of 2017 dated 5/2/2018.

For Petitioner ... Mr.C.R.Malarvannan

For respondents ... Mr.L.Jai Venkatesh
for R.1

Mr.D.Sreenivasan
for R.2.

Mr.Alagu Gowtham
Government Advocate
for R.R.3 and 4

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ORDER

This writ petition has been filed to direct the first respondent to restore the electricity in consumer No.308 005 470 and 308 005 1332 at No.4/111, Vaniyar Street, Sennirkuppam, Poonamallee Taluk, Thiruvallur District, comprised in Grama Natham S.No.82/1 New Survey No.153/44



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measuring to an extent of 3025 sq.ft as the same is not covered in the order passed by this Court in W.P.No.28791 of 2017 dated 5/2/2018.

2. The facts of the case in brief are as follows:-

The petitioner is the absolute owner of the property, situated at No.4/111, Vaniyar Street, Sennirkuppam, Poonamallee Taluk, Tiruvallur District, comprised in Grama Natham Survey No.82/1. Since the second respondent making attempt to interfere with the possession, petitioner has filed O.S.No.138 of 2018 before the Principal District Munsif, Poonamallee. When the matter stood thus, the first respondent, based on the order of this Court, made in W.P.No.28791 of 2017, directed the Electricity Department, to disconnect the electricity connections. Being aggrieved, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.

3. In the counter affidavit filed by the second respondent, it is stated that taking advantage of the fact that revenue records stand in the name of the petitioner, adjoining the School land, instant writ petition has been filed,



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as if she is not an encroacher and service connection was disconnected wrongly.

4. Heard Mr.C.R.Malarvannan, learned counsel for the petitioner, Mr.L.Jai Venkatesh, learned counsel for the first respondent, Mr.D.Sreenivasan, learned counsel for the second respondent and Mr.Alagu Gowtham, learned Government Advocate for the respondents 3 and 4.

5. The learned counsel appearing for the petitioner submitted that the petitioner's house fall under S.No.82/1 and not under S.No.82/2AIL. Without considering the representation of the petitioner, dated 16/6/2018, first respondent had disconnected the electricity connection, in Consumer Nos.308 005 470 and 308 005 1332, on 21/6/2018.

6. Added further, the learned counsel appearing for the petitioner seeks permission of this Court to approach the Hon'ble Division Bench for appropriate relief.



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7. Recording the submission of the learned counsel appearing for the petitioner, this writ petition is disposed of. Liberty is granted to the petitioner to approach the Hon'ble Division Bench for appropriate relief. No costs.

9/3/2023

Index : Yes / No
Internet: Yes
Speaking/non speaking order
Neutral Citation: Yes/No

mvs.

To

1. The Assistant Engineer
TANGEDCO/TNEB
Kumananchavadi Village
Seneerkuppam Village
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