



WEB COPY



W.P. No.19826 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.08.2023

CORAM: JUSTICE N.SESHASAYEE

W.P. No.19826 of 2023 and
W.M.P. No.19160 of 2023

T.Ananthakumar

... Petitioner

Vs.

1.The Junior Engineer - O&M
Tamil Nadu Generation and Distribution
Corporation Limited
Kavilipalayam
Sakthi Taluk
Erode District.

2..The Assistant Executive Engineer - O&M
Tamil Nadu Generation and Distribution
Corporation Limited
Puliyampatti
Sakthi Taluk
Erode District.

3.The Sub Inspector of Police
Kadathur Police Station
Erode District

4.Selvarathinam

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India for a writ of certiorarified mandamus, calling for the records relating to the impugned order dated 07.03.2023 passed by the 1st respondent in his impugned proceedings in Ka.No.:E.ME.PO/O&M/Ka.Palayam/Ko.-Complaint Petition/No.247/22-23 quash the same and consequently direct the 1st respondent to provide electricity connection with the aid of the third respondent within a stipulated time frame.

For Petitioner : Mr.K.R.Samratt

For Respondents : Mr.I.Syed Sibghatulla
for TNEB for R1 & R2

Mr.N.Muthuvel,
Govt. Advocate (Crl.Side) for R3

Mr.D.Veerasekaran for R4

ORDER

The petitioner has applied for an electricity connection to the first respondent and it is kept pending by him owing to certain objections raised by the fourth respondent.



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2.Learned counsel for the petitioner submits that the fourth respondent objects with no semblance of right when he has got all the documents to establish ownership of the building and acting on the said objection the first respondent has rejected his request for an electricity connection.

3.Heard both sides.

4.This court perused the proceedings of the first respondent dated 07.03.2023. Vide his proceedings, the first respondent has requested the petitioner to provide the documents to establish ownership, and it does not say anything more than that. In these circumstances, this court is constrained to set aside the said proceedings of the first respondent and remands the matter to the first respondent for a *de novo* consideration of the petitioner's request.

5.The learned counsel for the first respondent, on instructions informs the court that the fourth respondent created a law and order situation and it even led to the filing of a criminal complaint against him.



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6. This court need not inform the first respondent as to what he should do, since he has every right to ensure that his duty to perform a public duty is not hindered by anybody.

7. This court now requires the first respondent to hold an enquiry after giving notice to all those who are likely to be affected by the decision of the first respondent and dispose of the same within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

02.08.2023

Asr
Index : Yes/No
Speaking/Non-speaking order



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- 4.The Government Pleader
High Court, Madras



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N.SESHASAYEE, J.,

Asr

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