



W.P.No.22306 of 2023
WMP.No.21694 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.22306 of 2023
&WMP.No.21694 of 2023

M/s.Hariraj Homes Pvt. Ltd.,
Represented by its Director, Mr.M.Ragunathan,
Having office at Old No.28B, New No.29B,
While House, ABM Avenue, R.A.Puram,
Chennai – 600 028

...Petitioner

-Vs-

1.Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Rep. by its Chairman and Managing Director,
No.144, Anna Salai,
Chennai – 600 002.

2.Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Lakshmipuram, Teachers Colony,
Kolathur,
Chennai – 600 099.

3.S.Sasikala
4.S.Sivagami

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India,
to issue a Writ of Certiorarified Mandamus, calling for the records of the



W.P.No.22306 of 2023
WMP.No.21694 of 2023

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For Petitioner : Mr.J.Saravana Vel
For R1 & R2 : Mr.L.Jaivenkatesh,
Standing Counsel for TNEB

ORDER

The petitioner claims title to a residential plot. The petitioner claims that the second respondent has provided temporary electricity connection to the respondents 3 and 4. Contending that the said plot belong to it, the petitioner has moved the second respondent for termination of the said electricity connection. This was rejected by the Authority Vide its proceedings dated 02.02.2023 and also 15.04.2023. They are now under challenge.



W.P.No.22306 of 2023
WMP.No.21694 of 2023

WEB COURT

2.The learned counsel for the petitioner submitted that in none of the proceedings of the second respondent, it is disclosed what are the documents he had perused. He submitted that the petitioner has a title document and other related documents and hence, the second respondent ought not to have granted electricity supply connection.

3.Mr.L.Jaivenkatesh, learned Standing Counsel for TNEB entered appearance for the respondents and submitted that the respondents 3 and 4 have also produced documents based on which the second respondent has decided to provide temporary electricity connection to respondents 3 and 4. The learned counsel also submitted that between the petitioner and respondents 3 and 4 a suit in O.S.No.112 of 2021 is also pending before the District Munsif Court, Madhavaram.

4.*Prima facie*, this Court finds that there is some merit in the submissions of the learned counsel for the petitioner. The proceedings of the second respondent does not disclose the documents that he had perused and why he preferred the documents of respondents 3 and 4.



W.P.No.22306 of 2023
WMP.No.21694 of 2023

WEB COPY

5. Therefore, this Court deems it appropriate to remand the matter back to the second respondent for a *de novo* consideration of the petitioner's representation by holding an enquiry and hearing all the parties who are likely to be affected by his decision and is required to pass a speaking and reasoned order within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

04.08.2023

Index : Yes/No
Internet : Yes/No
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WMP.No.21694 of 2023

To

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W.P.No.22306 of 2023
WMP.No.21694 of 2023

N.SESHASAYEE, J.,

Tsg

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W.P.No.22306 of 2023

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