



W.P.No.24750 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.24750 of 2022

G.Ramalingam

..... Petitioner

Vs

1.The District Collector
Chengalpattu District
Chengalpattu.

2.The Tahsildar
Chengalpattu Taluk
Chengalpattu District.

3.The Superintending Engineer
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO)
Chengalpattu District
Chengalpattu.

4.The Executive Engineer
Operations and Maintenance (O&M)
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO)
Chengalpattu District.

.... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 4th respondent herein dated 30.05.2022 namely Ka.No:Se.Po / E&B / Sengai / Assistant. Varai / Ko. Mu.A.Tha.B Manu / A.No.49 / 2022-23 to quash the same and to consequently direct the 4th respondent to restore the electricity service connection in the house situated at Door No.135, Alan Road, Bharathapuram, Chengalpattu Taluk & District forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.G.Ameedius
Government Advocate for R1 & 2

Mr.L.Jaivenkatesh
Standing Counsel for R2 & R4

ORDER

The petitioner seeks restoration of electricity connection which has been disconnected for non-payment of consumption charges in the year 2009, and that in 2014, the entire service connection has been dismantled. It is in this circumstances, the petitioner has filed his representations dated 09.05.2022 and 25.05.2022, before the first respondent, the District Collector,



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Chengalpattu District, seeking restoration of his electricity connection, but his request has been rejected vide the impugned order of the 4th respondent dated 30.05.2022. Hence, the petitioner is before this Court.

2. The learned Government Advocate appearing for the respondents 1 and 2 makes a statement that the property in relation to which the petitioner seeks electricity connection was a poromboke land which was assigned to Government Leprosy Hospital, and the petitioner is an encroacher of the same.

3. The learned counsel for the petitioner however submitted that there are quite a few houses in the same locality, and the TANGEDCO has given electricity supply to them. According to TANGEDCO, they require a No Objection Certificate, and going by the statement of the learned Government Advocate, it may have to be obtained from Government Leprosy Hospital.

4. This Court considers that till the Government removes any such encroachers from the property in question, in the manner known to law, the petitioner may be provided with electricity connection, subject to the



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condition he pays all the arrears and penalty, if any. This Court also instructs the Government to ensure that the property assigned to the Leprosy Hospital is not encroached, and to take such necessary steps to remove the encroachments.

5. The writ petition is disposed of accordingly. No costs.

Index : Yes / No

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Speaking order / Non-speaking orders

Copy to : The Dean, Government Leprosy Hospital, Chengalpattu.



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To:
WEB COPY

- 1.The District Collector
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Chengalpattu District.
- 5.The Dean
Government Leprosy Hospital
Chengalpattu.



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N.SESHASAYEE.J.,

ds

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