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IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.03.2023

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THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.26471 of 2019

M.Rajeswari

... petitioner

-Vs-

1. The Executive Engineer 1,
Electricity Department,
Uppalam, Puducherry 1

2. The Assistant Engineer
Electricity Department,
Perumal Koil Street,
Puducherry 1.

3. The Junior Engineer,
Electricity Department,
Vinayagar Koil Street,
Venkata Nagar, Puducherry 11.

4. Dhandapani

5. Jayaraman

6. Loganathan

7. Thangamani

8. Velu



9. Latha

... Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing the 1 to 3 respondents to disconnect the electricity connections provided to the illegal, unapproved, unauthorized buildings situated at Plot No.1 Door Nos.33, 35, 33A, 31 bearing R.S. No. 304/7/A1 Cadastre No. 114 Patta No.232 situated at 1st Cross Street, Rainbow Nagar, Saram Revenue Village, Pondicherry - 11 within the Oulgaret Panchayat Village No.38, Oulgaret Sub Registration, Pondicherry on considering the petitioners representation dated 12.3.2019.

For petitioner : M/s.Usha Ramman

For Respondent : Mr.Tamilvanan, AGP RR1 to 3
Pondicherry

ORDER

The writ petition has been filed seeking a direction to the 1 to 3 respondents to disconnect the electricity connections provided to the illegal, unapproved, unauthorized buildings situated at Plot No.1 Door Nos.33, 35, 33A, 31 bearing R.S. No. 304/7/A1 Cadastre No. 114 Patta No.232 situated at 1st Cross Street, Rainbow Nagar, Saram Revenue Village, Puducherry 11 within the Oulgaret Panchayat Village No.38, Oulgaret Sub Registration, Pondicherry on considering the petitioners representation dated 12.3.2019.



2. The case of the petitioner that the petitioner has purchased the property from one Mohan @ Perumal vide two separate sale deeds in his name on 25.11.2010 in R.S.No.304/7/A1. The patta is still standing in the name of the original vendor. Such being the factual position, the respondents 4 to 9 raised illegal, unauthorized construction in petitioner's property without obtaining any planning permission to construct the buildings. The petitioner has given representation dated 12.03.2019 to the respondents against the said illegal construction and also to disconnect the electricity connections provided to the said constructions. However, till date, the same was not considered and hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondent to consider the representation dated 12.03.2019 of the petitioner and pass appropriate orders within the stipulated time as fixed by this Court.

4. Heard the learned counsel on either side and perused the materials available on record. Since no adverse orders are passed against the private respondents, hence, notice to the private respondent is dispensed with.



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5. Considering the facts and circumstances of the case and in view of the limited relief sought for by the petitioner, this Court directs the respondents to consider the petitioners representation dated 12.03.2019 and pass appropriate orders, after providing opportunity to the petitioner as well as the counter parties (private respondents) on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

16.03.2023

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To

1. The Executive Engineer 1,
Electricity Department,
Uppalam, Puducherry 1

2. The Assistant Engineer
Electricity Department,
Perumal Koil Street,
Puducherry 1.



3. The Junior Engineer,
Electricity Department,
Vinayagar Koil Street,
Venkata Nagar, Puducherry 11.



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M.DHANDAPANI, J.

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