



WEB COPY



W.P.No.32328 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.32328 of 2023

Pattu

... Petitioner

Vs

1. The Chairman cum Managing Director,
Tamil Nadu Electricity Board,
8th Floor, TANGEDCO,
No.144, Anna Salai, Chennai 600 002.
2. The Chief Engineer (TNEB), Tangedco,
No.1, Anna Maligai,
Vellore Road, Olimohmdpet,
Kanchipuram – 631 501.
3. The Superintending Engineer (TNEB), Tangedco,
No.1, Anna Maligai,
Vellore Road, Olimohmdpet,
Kanchipuram – 631 501.
4. The Assistant Engineer, (O & M)/Rural/West (TNEB)
Sevilimedu Section,
Orikkai, Kanchipuram Division,
Kanchipuram - 631502

... Respondents



W.P.No.32328 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to consider the petitioner representation dated 28.10.2023.

For Petitioner : Mr.P.K.Ganesh
For Respondents : Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh

ORDER

Ms.Keerthana Shenoi, learned counsel appearing on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents and upon instructions received from Mr.N.Thirunavukkarasu, AE/O&M/Sevilimedu, Assistant Engineer, Kanchipuram, who is present in Court, submits that the respondents object to the issuance of mandamus as sought for.

2. The petitioner has made an on-line application on 26.10.2023, followed by representation dated 28.10.2023 seeking electricity connection in respect of property at SF.No.238/1A1, Pattai Street, Sevilimedu-A, Kanchipuram ('property in question').

3. The instructions reported by Ms.Shenoi are to the effect that immediately on filing the application, the petitioner had herself told the officials not to process the same, as there are some legal disputes and that the application may be processed post resolution of the same.



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4. According to the petitioner, no such instructions have been given to the authorities. Moreover, a perusal of the Writ affidavit discloses no such details in regard to the pending litigation. Upon a specific query being posed, the learned counsel would admit that the petitioner is defending a suit filed by a third party seeking injunctive relief in respect of the property in question. The petitioner ought to have disclosed this fact and has not come to Court with clean hands.

5. I am thus also inclined to accept the submission of the respondents to the effect that the petitioner may herself has instructed the authorities to await decision on the civil suit.

6. That apart, the application/representation itself has been made only on 26/28.10.2023, too proximate to the filing of this Writ petition. Hence, for the aforesaid reasons, this Writ petition is dismissed with costs of Rs.5,000/- payable to Cancer Institute, Adayar, Chennai within a week from today. Proof be submitted before the Registry.

16.11.2023

Index : Yes / No

Speaking

Neutral Citation: Yes

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Note: Registry to circulate proof of remittance of costs in chambers.



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Dr.ANITA SUMANTH,J.

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To

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