



W.P(MD)No.985 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.985 of 2023

and

W.M.P(MD)Nos.923 & 924 of 2023

James

... Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Kanyakumari District,
At Nagercoil.

2.The Assistant Executive Engineer,
Distribution,
Kulasekaram,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in his proceedings in LR. No.AEE/D/KLM/F.Theft./D. 339/22, dated 18.11.2022 and Ka.No.Vu.Poo/Vi/Na/Kula/Koo.Kattu/No. 640/22 dated 15.12.2022 and quash the same as devoid of merits and consequently directing the respondents not to interfere in the Service Connection of the petitioner in SC No. 161-006-487.



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For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the Tamil Nadu Generation and Distribution Corporation (TANGEDCO).

2.The writ petitioner has been charged with unauthorized use of electricity. He has been served with final assessment order also. The petitioner has an appeal remedy. No case has been made out for invoking the writ jurisdiction of this Court. The petitioner is given liberty to file an appeal before the appellate authority. If such appeal is filed within two weeks from today (19.01.2023), it will be entertained without reference to limitation. The petitioner is at liberty to seek interim relief before the appellate authority also. If any interim application is filed, the same will be disposed of on merits and in accordance with law within two weeks after such filing. The impugned assessment order will be put on hold and kept in abeyance for a period of six weeks. I make it clear that I have not gone into the merits of the matter. It is for the appellate authority to take a call in the matter.



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3.This writ petition is disposed of accordingly. There shall be no order

as to costs. Consequently, connected miscellaneous petitions are closed.

19.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

Note: Registry is directed to return the original order to the learned counsel appearing for the writ petitioner after it is duly substituted by the authenticated copy.

To

1.The Superintending Engineer,
TANGEDCO,
Kanyakumari District,
At Nagercoil.

2.The Assistant Executive Engineer,
Distribution,
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Kanyakumari District.



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G.R.SWAMINATHAN, J.

MGA

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