



W.P(MD)No.5557 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.5557 of 2020 and
WMP(MD) No.4869 of 2020

S.Ganesan

...Petitioner

Vs.

**1.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Uppliyapuram,
Trichy District.**

**2.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO,
Kottapalayam,
Trichy District.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the proceedings of the first respondent made in AEE/OM/U.Puram/Koo.Kattu/Aa.No.416/19-20 dated 10.03.2020 and quash the same.



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For Petitioner : Mr.K.Govindarajan
For Respondents : Mr.S.Deenadayalan
Standing Counsel

ORDER

Challenging the show cause notice issued by the first respondent calling upon the petitioner to produce the documents/title deeds for the property in Survey No.207/5, this writ petition is filed.

2.The learned counsel appearing for the petitioner submits that the petitioner has obtained an electricity service connection for the property in S.No.207/5, Kottapalayam Village, Thuraiyur Taluk, Trichy District, based on an assignment order. The assignment order was subsequently cancelled by the Revenue Divisional Officer. As against that, the petitioner has filed an appeal before the District Revenue Officer and the same is pending. On knowing that the order of assignment in favour of the petitioner was cancelled, the respondent TANGEDCO has issued a show cause notice. The order of cancellation of the assignment was also challenged by way of another writ petition in WP(MD) No. 15388 of 2020 before this court and the same is still pending.



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3.The learned Standing Counsel appearing for the respondents submits that based on the order of cancellation of assignment, the show cause notice has been issued to the petitioner to produce the relevant documents. However, without doing so, the petitioner has approached this Court by way of this writ petition.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.Since it is reported that the order of cancellation of assignment has already been challenged, the show cause notice, which is impugned in this writ petition has been issued subsequent to the cancellation of assignment and considering the fact that the impugned notice is only a show cause notice, this writ petition is disposed of with a liberty to the petitioner to offer his explanation to the show cause notice within a period of four weeks from the date of receipt of a copy of this order. Based on the documents produced by the petitioner, the respondent Board shall take a decision in



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accordance with law. No costs. Consequently, connected

Miscellaneous Petition is closed.

26.06.2023

Index:Yes
Internet:Yes
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To

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Uppliyapuram,
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- 2.The Assistant Engineer,
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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.5557 of 2020 and
WMP(MD) No.4869 of 2020

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