



WP(MD)No.4945 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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1.S.Pazhamazai

2.L.R.Sairam

.. Petitioners

v.

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Trichirappalli Electricity Distribution Circle – Metro,
Trichy.

2.The Executive Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Operation & Maintenance – Urban,
Trichy.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Operation & Maintenance – Rockfort,
Trichy.



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4. The Assistant Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Operation & Maintenance – Chinthamani,
Thennur, Trichy.

5. Shilpa Chowdry

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the second respondent in Ka.No.Se.Po./E.Ka./Na.Ka/Thiru/VaAa/Ko.Manukkal/No.CE.17/2022 dated 30.07.2022, quash the same and consequently, directing the respondents 1 to 4 to disconnect the Electricity Connection No. 207-009-1764 given to the fifth respondent in the petitioner's land bearing New T.S.No.9/3 Block 19, Ward – F, Ariyamangalam Zone, Trichy.

For Petitioners : Mr.M.Saravanan

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel
for R.1 to R.4

No appearance for R.5

ORDER

The petitioners, with a grievance that the third respondent / Board has recognized the fifth respondent by providing electricity service



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connection to their property, has approached the second respondent. The second respondent, by the communication impugned, has stated that unless it is clarified by the revenue officials as to who owns the property, they could not pass any orders. Aggrieved over the same, the petitioner has moved this writ petition.

2.Learned Standing Counsel for the respondents Board, on instructions, submitted that based on the sale deed, plan approval and property tax receipts produced by the fifth respondent, they have granted service connection to the fifth respondent. On receipt of notice in this writ petition, they have called upon the fifth respondent to produce the relevant documents, however, the fifth respondent has not turned up for enquiry.

3.Learned Counsel for the petitioners contended that the respondents Board have accepted the petitioners' case that the fifth respondent is not having any valid document, however, they are not disconnecting the service connection that was wrongly provided. He further submitted that the sale deed produced by the fifth respondent is not pertaining to this



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subject property and the title of the fifth respondent's vendor itself is in question. Therefore, the respondents Board are not justified in issuing the service connection.

4.Heard the learned Counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents 1 to 4. There is no representation for the fifth respondent.

5.Considering the facts and circumstances of the case and the submissions made on either side, this writ petition is disposed of with a direction to the respondents 2 & 3 to conduct an enquiry afresh, by providing an opportunity to this petitioners and the fifth respondent and thereafter, take a decision, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
NCC : Yes / No
Internet : Yes
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B.PUGALENDHI, J.

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