



W.P(MD)No.18811 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18811 of 2022

and

W.M.P.(MD)No.13707 of 2022

T.Sutha

... Petitioner

Vs.

1.The Assistant Engineer,
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Sivagangai Town Division,
Sivagangai District.

2.The General Manager,
Tamil Nadu Arasu Cable TV,
34/123, Tuhar Towers, 6th Floor,
Marchelles Road,
Egmore,
Chennai.

3.The Assistant Manager,
Tamil Nadu Arasu Cable TV,
District Collectorate Complex,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order bearing No.Ka.No.U.Mi.Po/Na/Siva/Ko.Niluvaithogai / A.No.249/2022 dated 01.08.2022 on the file of the 1st Respondent and quash the same as illegal and consequently direct the 1st



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respondent to recover the pending due of a sum of Rs.11,91,048 in service connection No.451-009-1163 from the Respondents 2 and 3.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.S.Deenadhayalan for R1

: Mrs.J.R.Annie Abinaya for R2 & R3

ORDER

Heard both sides.

2. The impugned communication is set aside on the only ground that it is addressed to a dead person. The first respondent is at liberty to issue notice to the petitioner and after hearing her explanation, pass an order afresh on merits and in accordance with law. I however make it clear that the petitioner cannot avoid liability towards TANGEDCO by citing the pending dispute with the Tamil Nadu Arasu Cable TV.

3. With this observation and liberty to the first respondent, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

15.12.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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