



W.P(MD)No.18418 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18418 of 2023 and
WMP(MD) No.15293 of 2023

A.Murugan

Petitioner

Vs

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Tirunelveli,
Tirunelveli District.

2.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Valliyoor,
Tirunelveli District.

3.The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Thisaiyanvilai,
Tirunelveli District.

Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order as made in Ka.No.Oo.Po/Na/Vi/Thisai/Ko/A.No.275/23-24, dated 22.06.2023 passed by the third respondent for the disconnection of electricity service connection Vide No.072-012-1402 at Survey No.229/5, Bye Pass Road, Thisaiyanvilai, Tirunelveli District and subsequently quash the same as illegal.

For Petitioner :Mr.S.Palanivelayutham
For Respondents :Mr.S.Deenadayalan
Standing Counsel

ORDER

This writ petition is filed as against the notice issued by the respondent TANGEDCO calling upon the petitioner to produce the document pertaining to S.No.229/4B. TANGEDCO has already granted a domestic service connection in S.No.229/4B vide service connection No.072-012-1402. Subsequently, one Arumugam has raised certain objections that this property in 229/4B was already sold by the petitioner to him and therefore, the service connection has to be transferred in his name. Based on the representation of



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Arumugam, the Assistant Engineer, TANGEDCO has issued this impugned notice dated 22.06.2023 to the petitioner to submit his document to establish that he is still remained as owner of the subject property. As against which, the petitioner has filed this writ petition.

2.The learned counsel appearing for the petitioner submits that he is the owner of the property in S.No.229/4B and there is no doubt about it. However, based on a vague allegation made as against him, the respondent has issued the impugned notice. He has sold a portion of the property i.e 32 cents alone to the said Arumugam and the remaining land is still with him.

3.Considering that the order impugned in this writ petition is only a notice, calling upon the petitioner to produce the relevant documents, based on the representation of one Arumugam, this writ petition is disposed of with a direction to the petitioner to appear before the third respondent on 08.08.2023 alongwith all



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relevant documents. The respondents shall also conduct an enquiry after providing an opportunity to this petitioner and the said Arumugam and shall take a decision within a period of four weeks from thereon. In the event, if any decision is taken, the petitioner shall put on notice and the respondent TANGEDCO shall not disconnect the electricity service connection without providing sufficient opportunity to the petitioner for a limited period of twelve weeks enabling the petitioner to work out his remedy before the appropriate authority. No costs. Consequently, connected Miscellaneous Petition is closed.

31.07.2023

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

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B.PUGALENDHI, J.

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W.P(MD)No.18418 of 2023 and
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