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W.P.(MD)NO.21523 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21523 of 2022 AND

W.M.P.(MD)No.15656 of 2022

K.Kottaithai

... Petitioner

Vs.

1. The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
TANGEDCO – Distribution
Town Hall / Metro Power Distribution,
Ellis Nagar, Madurai – 625 001.

2. P.Muthulakshmi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of the 1st respondent pertaining to Ka.No.Vu.Mi.Po/Pa/Townhall/Ko/Va.A/A.No. 302/2022 dated 26.08.2022 and quash the same as illegal direct the 1st respondent to do not change name of the service number 5-025-002-426 by considering his representation dated 30.08.2022, within the stipulated time period.

For Petitioner : Mr.G.Sakthi Rao

For R-1 : Mr.S.Deenadhayalan,
Standing Counsel.

For R-2 : Mr.M.Prabakaran

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ORDER

Heard both sides.

2. The first respondent proposes to disconnect the petition-mentioned electricity service connection. In respect of the premises, a civil suit is pending between the petitioner and the second respondent. The rights of the parties can abide by the outcome of the civil proceedings.

3. The learned counsel for the second respondent has produced photographs. It is seen therefrom that the premises in question is in a dilapidated condition. The impugned order also states that disconnection is proposed for safety purposes. However, the impugned communication had not spelled out the same in clear terms.

4. The impugned communication will be treated as a notice. It is open to the first respondent to effect disconnection, if the building has become dilapidated. But then, before coming to the said conclusion, the petitioner has



to be put on notice. The first respondent is directed to issue notice to the petitioner as regards the structural stability of the premises and taking into account the safety aspects. After receiving the petitioner's response, the first respondent can take appropriate action in accordance with law. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

03.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
TANGEDCO – Distribution
Town Hall / Metro Power Distribution,
Ellis Nagar, Madurai – 625 001.



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G.R.SWAMINATHAN,J.

PMU

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