



W.P(MD)No.11796 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11796 of 2015

P.S.Surendranath

... Petitioner

Vs

1.The Assistant Executive Engineer,
Distribution (TANGEDCO MEDC),
Tamil Nadu Electricity Board,
Kappalur,
Madurai – 625 008.

2.S.Ananthan

***(R.2 is impleaded vide order of
this Court dated 04.09.2023 in
M.P(MD)No.1 of 2015)***

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 16.06.2015 to disconnect the electricity service in services No.S.C.No.143-001-88 in Sripadmavathi Srinivasa Weaving Company, at Plot No.C.S.10(p), Kappalur Industrial Estate, Kappalur, Madurai for two months for doing maintenance works.



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For Petitioner : No Appearance

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

Mr.B.Anandan for R.2

ORDER

None appeared for the writ petitioner on the last occasion. The matter was listed under the caption for “dismissal”. Today also none appears for the writ petitioner. Heard the learned Standing Counsel appearing for the first respondent and the learned counsel appearing for the tenant / the second respondent.

2. The petitioner wants the petition mentioned electricity service connection to be disconnected.

3. Electricity is a fundamental and basic amenity. There is already a civil dispute between the petitioner and the second respondent. Eviction proceedings are going on. The suit filed by the second respondent seeking permanent injunction that he should not be dispossessed except in accordance with law has been decreed.



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4. I do not find any ground to grant relief as sought for in this writ petition. I however make it clear that in the event of there occurring any energy theft or any other consequences flowing out of the petition mentioned electricity connection, it is the second respondent who will be responsible. The petitioner cannot be made liable for any consequence.

5. With this clarification in favour of the petitioner, this writ petition is dismissed. There shall be no order as to costs.

07.09.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

The Assistant Executive Engineer,
Distribution (TANGEDCO MEDC),
Tamil Nadu Electricity Board,
Kappalur,
Madurai – 625 008.



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G.R.SWAMINATHAN, J.

MGA

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