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W.P.(MD)NO.24757 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.24757 of 2022 AND
W.M.P.(MD)No.18844 of 2022

Thangasamy

... Petitioner

Vs.

1. The Assistant Engineer,
Tamil Nadu Electricity Board,
Pallathur, Thanjavur District.

2. The Assistant Engineer,
Public Works Department,
Kallanaikalvai Sub Division,
Pattukottai,
Thanjavur.

(R-2 is impleaded vide order dated 16.11.2022
in W.M.P.(MD)No.19702 of 2022)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the respondent letter No.UuMiPo.EPaRa.Pallathur/Ko-SC DC/A No.78/22-23/01.09.2022 dated 01.09.2022 and quash the same as illegal.

For Petitioner : Mr.S.Rajamanickam



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W.P.(MD)NO.24757 OF 2022

For R-1

: Mr.S.Deenadhayalan,
Standing Counsel.

For R-2

: M.Siddharthan,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. The petitioner challenges the impugned notice dated 01.09.2022 issued by the first respondent proposing to disconnect the petition-mentioned service connection. The impugned notice is based on the communication dated 08.07.2022 issued by the second respondent. According to the second respondent, the petitioner has put up a building in a land belonging to the Government.

3. Since what has been issued is only a notice. I do not want to interfere. The petitioner can very well offer his objections. The first respondent will hold an enquiry. If the petitioner's building is located in patta land, further proceedings will be dropped. If the petitioner's building is



located in the Government land, the first respondent will pass further order in the matter.

4. Leaving open the rights and remedies of the writ petitioner, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.10.2023

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

To:

1. The Assistant Engineer,
Tamil Nadu Electricity Board,
Pallathur, Thanjavur District.
2. The Assistant Engineer,
Public Works Department,
Kallanaikalvai Sub Division,
Pattukottai,
Thanjavur.



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G.R.SWAMINATHAN,J.

PMU

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