



W.P.No.9428 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.9428 of 2024

M.S.Baskar

... Petitioner

Vs.

1. The Assistant Engineer,
Office of the Assistant Engineer,
Nandhambakkam TNEB,
Nandhambakkam,
Kancheepuram District – 600 069.
2. The Chief Engineer,
Tamilnadu Electricity Board,
Anna Maaligai,
Olimohamdpet,
Kancheepuram – 631 502.
3. The Superintending Engineer,
Tamilnadu Electricity Board,
K.K.Nagar,
Chennai – 600 078.
4. The Chief Engineer,
Tamilnadu Electricity Board Head Office,
No. 825, Link Road,
Annasalai, Triplicane,
Chennai – 600 002.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner representation dated 23.02.2024 take necessary action against the 5th respondent for illegally obtaining Electricity Connection and to disconnect the electricity connection vide Connection No. 6/1093 given to Bethel Church is situated in Kancheepuram District, earlier Sriperumbadur Taluk, now Kundrathur Taluk, Nandhambakkam Village, comprised in old Survey No. 648/8A1A1A1, New Survey No. 648/95 situated in Plot No. 26C in Sri Ranganathapuram Part-1.

For Petitioner : Mr.S. Ramesh

For R1 to R4 : Mr.S. Enock Anand
for Mr.L.Jaivenkatesh
Standing Counsel for TANGEDCO

ORDER

Mere direction to direct the respondents to consider the representation would do no service to the cause of justice. The litigant will be back again by filing another writ petition. Even for considering the representation, the person approaching the Court must establish a right or infringement of right. It cannot be a routine order to give a direction to the Authorities to dispose of the same, which may cause prejudice to some other parties or sometimes result in corrupt activities. Therefore, High Court while issuing a direction to consider the representation is expected to ascertain, whether the person



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approaching the Court establishes his right or infringement of right or otherwise. Practice of merely sending a representation and filing a writ petition cannot be encroached by the High Courts.

2. In the present case, admittedly, the Electricity Service Connection has already been provided in favour of the 5th respondent by the respondent/Board based on the documents produced by him. *Per contra*, the petitioner also claims title over the property. Therefore, the Electricity Board Authorities cannot decide the title regarding property nor the Writ Court. Thus, the petitioner has to approach the competent Civil Court of law for the purpose of establishing his right and all appropriate remedies can be sought for in the Civil proceedings.

3. With this liberty, the Writ Petition stands **dismissed** at the admission stage itself. No costs.

08.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

WEB COPY

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S.M.SUBRAMANIAM,J.

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