



WEB COPY

W.P.No.8307 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.8307 of 2024

and

W.M.P.Nos.9273, 9275 & 9276 of 2024

N.Renuka

... Petitioner

Vs

- 1.The District Collector,
Collectorate GST Road,
Chengalpattu 603 001.
- 2.The Commissioner
State Commissionerate for Welfare
of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus
Chennai 600 005.
- 3.The Tahsildar
Vandalur, Taluk Office,
Otteri, Peerakankranai,
Tamil Nadu 600 048.
- 4.The Village Administrative Officer,
Village Administrative Office,
Melakkottaiyur Panchayat,
Vandalur, Chennai – 600 127.



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5.The Chairman cum Managing Director,
TANGEDCO,
6th Floor, TANTRANSCO Building,
144, Anna Salai,
Chennai – 600 002.

6.The Assistant Engineer,
TNEB Melakottaiyur Office,
Vandalur Kelambakkam Main Road,
Melakottaiyur, (Near Kandigai),
Chennai – 600 048.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 3rd respondent in Ref.No.81/2024/ 2 dated 12.01.2024 and quash the same as illegal and consequently direct the 6th respondent to provide power supply to the petitioner's TNEB Consumer Number 095760152906.

For Petitioner : Ms.R.Srinithi
for Mr.R.Prabhakaran

For Respondents : Mr.U.Baranidharan
Additional Government Pleader
for R1 to R4

: Mr.L.Jaivenkatesh
Standing Counsel for TANGEDCO
for R5 & R6



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ORDER

The order dated 12.01.2024 disconnecting the electricity service connection provided in the bunk shop run by the petitioner is under challenge in the present writ petition.

2. The Tahsildar, Vandalur vide proceeding dated 09.09.2022 granted permission to provide electricity connection by the Tamil Nadu Electricity Board to the bunk shop which is constructed in the Government land classified as “meikkal poramboke” i.e. grazing land.

3. However, it is not made clear that whether permission was granted to run bunk shop on the side of the road. Subsequently, the authorities found that the bunk shop is causing traffic congestion in that locality and the people are unable to use the road peacefully and there is likelihood of accidents. Therefore, the Tahsildar conducted an inspection on 11.01.2024 and instructed the Electricity Board to disconnect the electricity service connection to the bunk shop, accordingly the electricity was disconnected.



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4. Ms.R.Srinithi, learned counsel for the petitioner would contend that the petitioner is visually impaired and the bunk shop is the livelihood. Disconnecting the electricity service connection would result in business loss to the petitioner. Therefore, the order impugned is to be set aside.

5. Bunk shop cannot be permitted on the side of the road where there is a possibility of traffic congestion. On account of heavy traffic, the authorities found it difficult to regulate the traffic in that locality and initiated action to disconnect the electricity connection. Therefore, the authorities are bound to remove the bunk shop from the road side and the case of the petitioner is directed to be considered for providing an alternate accommodation in any other place where there is no inconvenience to the public.

6. It is made clear that the lands classified as “meikkal poramboke” cannot be assigned under the Revenue Standing Orders. The authorities competent are at liberty to assign any suitable land with reference to the Revenue Standing Orders and consider the case of the writ petitioner for assignment on merits and in accordance with law.



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No costs. Consequently, connected miscellaneous petitions are closed.

24.04.2024

Index : Yes/ No

Speaking order : Yes /No

Neutral Citation : Yes/No

Sgl

To

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S.M.SUBRAMANIAM, J.

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