



W.P.No.27763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27763 of 2024

And

W.M.P.No.30271 of 2024

C.Vasudevan

... Petitioner

Vs.

1.The Superintendent Engineer
TANGEDCO,
Central Chennai
M.G.R. Salai,
Valluvarkottam SS Campus
Nungambakkam,
Chennai – 600 034.

2.The Executive Engineer
TANGEDCO
T.Nagar – M.G.R Salai,
Valluvarkottam SS Campus
Nungambakkam,
Chennai – 600 034.

3.The Assistant Engineer
TANGEDCO
R.A.Puram
M.R.C. Nagar SS Complex
MRC Nagar, Santhome,
Chennai.

4.A.Babu



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5.The Inspector of Police (Law and Order),
Abiramapuram Police Station,
Abiramapuram, Chennai.

(R5 – suo motu impleaded as per order
dated 20.09.2024 in WP.27763/2024
by MDIJ)

6.V.Deepak Jesudoss

(R6 – impleaded as per the order
dated 26.09.2024 made in WMP.
No.31313/2024 in WP.27763/2024
by MDIJ)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents 1 to 3 to repair
the EB Box and restore the power supply to the petitioner for the
Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39,
Kamarajar Salai, Raja Annamalaipuram, Chennai – 600 028.

For Petitioner : Mr.K.Elango

For Respondents : Mr.L.Jaivenkatesh for R1 to R3
Mrs.Dakshyayini Reddy for R4
Senior Counsel
for M/s.Hemanth Ragu
Mr.L.Baskar for R5
Government Advocate (Crl. Side)
Mr.Arun Anbumani for R6
for M/s.AR.Balaji



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 3 to repair the EB Box and restore the power supply to the petitioner for the Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai – 600 028.

2.The learned counsel appearing for the petitioner submitted that the property situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai belongs to one late.Iyyamperumal and late.Thangalakshmi and they had no issues and further submitted that the petitioner is their foster son and the said Iyyamperumal bequeathed the said property in favour of the petitioner. The said late.Thangalakshmi purchased the property in Plot.No.1, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai and sold the same to the petitioner vide sale deed dated 05.03.2008.

3.The learned counsel appearing for the petitioner further submitted that at the instigation of one Muruganantham who is the son



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of the said late.Iyyamperumal's elder brother Duraipandi, the fourth respondent trespassed into the petitioner's property and damaged the E.B. Box and water connection pipes. In this regard, the petitioner made representation to the third respondent through his wife Rajalakshmi, however, there is no response.

4.The learned counsel appearing for the petitioner further submitted that the electricity service connection stands in the name of late.Thangalakshmi and prayed this Court to issue direction to the respondents 1 to 3 to restore the electricity service connection for Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai and shift the same to Plot.No.1, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai.

5.The learned Senior Counsel appearing for the fourth respondent submitted that the fourth respondent entered into sale agreement with the petitioner and the grievance of the fourth respondent is only with regard to the agreement amount and he has no intention to interfere with the petitioner's property and further



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submitted that unnecessarily, the petitioner has impleaded the fourth respondent in the writ petition.

6.The learned counsel appearing for the sixth respondent submitted that the sixth respondent purchased the subject property from one Muruganantham who is the son of late.Iyyamperumal's elder brother Duraipandi. The subject property was allotted to the said Muruganantham vide decree dated 12.01.2005 passed by the Sub Court, Tindivanam in O.S.No.111 of 2004 and further submitted that the sixth respondent has no objection to shift the electricity service connection for Consumer No.209-39-86 from Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai to Plot.No.1, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai and further submitted that this Court may permit the sixth respondent to make fresh application for electricity service connection in his name.

7.The learned Government Advocate (Crl. Side) appearing for the fifth respondent submitted that pursuant to the direction of this Court dated 20.09.2024 made in W.P.No.27763 of 2024, the subject property was sealed by the fifth respondent Police.



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8.Considering the submissions made on either side and the views expressed on either side, this Court passes the following order:

(i)This Court directs the Electricity Board/ respondents 1 to 3 to restore the electricity service connection for Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai, forthwith and shift the same to Plot.No.1, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai, within a period of one week from the date of receipt of a copy of this order.

(ii)Liberty is granted to the sixth respondent to make fresh application for electricity service connection in his name, within a period of one week from the date of receipt of a copy of this order. If any such application is made by the sixth respondent, the Electricity Board/ respondents 1 to 3 shall consider the same and effect electricity service connection, if there is no other legal impediment.

(iii)The fourth respondent or his men or his agent are directed not to interfere with the petitioner as well as the sixth respondent's property. Liberty is granted to the fourth respondent to work out his remedy as against the petitioner in the manner known to law and



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M.DHANDAPANI,J.
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