



WEB COPY



W.P.No.33479 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.33479 of 2024 and

W.M.P.No.36247 of 2024

P.K.Rajendran

...Petitioner

Vs.

1. The Superintending Engineer
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
Krishnagiri Power Distribution Circle,
Katikanapally, New Housing Board,
Krishnagiri-635 001.

2. The Divisional Engineer(O&M)
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
Rayakottai road,
Hosur-635 109.

3. The Assistant Engineer(O&M)
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
SIPCOT-II
Hosur
Krishnagiri District.

4. Thirupathi

5. Latha

..Respondents



W.P.No.33479 of 2024.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to call for the records of the 3rd respondent in Letter No.A.E/O.M/Sipcot II/Hosur/Division/Aa.No.041/24-25 dated 2.8.2024 and to quash the same and consequently direct the respondents 1 to 3 to disconnect the electricity connection Nos. 066.016.2053 and 066.016.3064 provided in the name of Mrs.Latha and Mr.Thirupathi respectively in Survey No.481/3A at Zuzuvadi village, Hosur Taluk, Krishnagiri district within the time fixed by this Court.

For Petitioner	: Mr.J.Pradeep
For Respondents 1 to 3	: Mr.S.Madhusudanan Standing Counsel (TNEB)

ORDER

The writ petition is filed challenging the order passed by the 3rd respondent dated 02.08.2024.

2. It is the case of the petitioner that he is the owner of the land situated in Survey No.481/3A with an extent of 1200 Sq.feet situated at Zuzuvadi village, Hosur Taluk, Krishnagiri District. He purchased the same under registered sale deed dated 31.05.2023 from one Moorthy. The revenue patta also issued in the name of petitioner in patta No.11695. It is the further case of the petitioner that respondents 4 and 5 encroached portion of his property and



constructed a house and obtained electricity service connection in their name in respect of the super structure put up by them in the encroached portion. Therefore, the petitioner submitted a representation before the official respondents along with his title document, revenue document and survey report furnished by Firka Surveyor.

3. The learned counsel for the petitioner submits that without considering the ownership of the petitioner over the above mentioned property and the documents furnished by the petitioner to substantiate his ownership over the same, the 3rd respondent has passed the impugned order and therefore, the same is liable to be set aside.

4. Mr.S.Madhusudanan, learned Standing Counsel (TNEB), who takes notice for the respondents 1 to 3 submits that in the impugned order, the petitioner has been directed to furnish the revenue documents in his name and if the same is submitted by the petitioner, the same will be considered in accordance with law.

5. A perusal of the impugned order would suggest that respondents 5 and 6 furnished revenue documents to substantiate their possession over Survey No.481/2A/A/A/A and Survey No.481/2. The private respondents have



W.P.No.33479 of 2024.

not furnished any documents in respect of disputed Survey No.481/3A. The petitioner is claiming right over the property in Survey No.481/3A and he furnished his title document, revenue document etc., In the impugned order, there is no reference about the documents furnished by the petitioner. In such circumstances, the petitioner is directed to furnish a copy of his title document, revenue document and the Survey report before the 3rd respondent along with his fresh representation within a period of two weeks from the date of receipt of copy of this order. The 3rd respondent shall consider the documents submitted by the petitioner and pass final orders on merits on the representation of the petitioner within a period of six weeks from the date of receipt of documents from the petitioner after issuing notice to the respondents 4 and 5.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

19.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

4/6



WEB COPY



W.P.No.33479 of 2021.

To

1. The Superintending Engineer
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
Krishnagiri Power Distribution Circle,
Katikanapally, New Housing Board,
Krishnagiri-635 001.
2. The Divisional Engineer(O&M)
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
Rayakottai road,
Hosur-635 109.
3. The Assistant Engineer(O&M)
Tamil Nadu Electricity Generation and
Distribution Corporation Limited
SIPCOT-II
Hosur
Krishnagiri District.



WEB COPY



W.P.No.33479 of 2024.

S.SOUNTHAR, J.
nr

W.P No.33479 of 2024 and
W.M.P.No.36247 of 2024

19.11.2024