



W.P.(MD)No.857 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.857 of 2018
and W.M.P.(MD)No.907 of 2018

R. Renuga

... Petitioner

Vs

1. The Assistant Engineer(Rural),
TANGEDCO, Sivagangai District..
2. The Executive Engineer (Distribution),
TANGEDCO, Sivagangai District.
3. The Superintending Engineer,
TANGEDCO, Sivagangai.
4. K. Samayamuthu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the recording relating to the proceedings of the impugned Order in Letter No. UMiPo/U/Siru/Ko.Kattu/A No.144/18, dated 05.01.2018 on the file of the 1st Respondent and quash the same and further directing the 3rd Respondent to dispose of the petitioner's appeal dated 08.08.2017.



W.P.(MD)No.857 of 2018

For Petitioner : Mr. G.Prabhu Rajadurai

For Respondents : Mr.S.Deenadhayan
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent to disconnect the electricity connection issued to the agricultural land bearing in S.No.253/3.

2.The impugned order has been issued to intimidate the petitioner that electricity connection will be disconnected within a period of seven days from the date of receipt of communication, dated 05.01.2018.

3.The case of the petitioner is that an extent of 75 cents in S.No.253 originally owned by one Krishnan. He has conveyed the said property along with other properties in S.No. 259/5 to one Rani vide sale deed, dated 26.08.1999. The petitioner has purchased the property from the said Rani on 17.06.2010. After the purchase, the electricity connection is also changed in the name of the petitioner. Thereafter, on the basis of the complaint received from the son of Krishnan, one



W.P.(MD)No.857 of 2018

Samaya Muthu/4th respondent name change effected in favor of the petitioner has been cancelled. In this regard, the petitioner has filed an appeal before the third respondent and in the pending appeal, the impugned order has been passed. So many grounds had been raised by the learned counsel for the petitioner.

4.It would suffice that direction to the respondent authorities to dispose the appeal of the petitioner and she may canvas the case before the authorities. Without expressing any merits in the writ petition, as admittedly cancellation order has been passed by canceling the name change effected from the name of the petitioner is challenged by way of appeal, dated 08.08.2017 and acknowledgement is also available on record to show that appeal petition has been received, the third respondent shall dispose of the appeal filed by the petitioner. If the copy of the appeal is not received by the 3rd respondent, the petitioner is at liberty to file a fresh appeal within a period of 10 days from the date of receipt of copy of this order and on receipt of the same, the third respondent shall dispose of the appeal on merits, after issuing proper notice to the complainant and the petitioner.



W.P.(MD)No.857 of 2018

5. With the above direction, this writ petition stands disposed of. Till

the disposal of appeal on merits, there shall be no disconnection of electricity connection. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

05.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To

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W.P.(MD)No.857 of 2018

N.SATHISH KUMAR, J.

PNM

ORDER IN

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