



W.P.(MD) No.13849 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.13849 of 2017
and W.M.P.(MD).Nos.10811 to 10813 of 2017

M/s.Kumaran Automobiles (Nagercoil) Pvt., Ltd.,
having its registered office at No.589,
'Sumitha Bhavan',
1st Cross Street, Nesamony Nagar,
Nagercoil represented by its
Chief Administrative Officer,
Mr.Savio Anthony Cyril.

... Petitioner

/vs./

1.The Executive Engineer/Urban,
Tirunelveli City and District.

2.The Assistant Executive Engineer/Urban,
Tirunelveli Junction,
Tirunelveli City and Distirct.

3.The Assistant Engineer,
Distribution/Urban,
Tamil Nadu Electricity Board,
Reddiarpatti, Tirunelveli-51.

4.F.Stalin

... Respondents



W.P.(MD) No.13849 of 2017

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the third respondent dated 20.07.2017 in Lr.No.A.E/Distribution/ Reddiarpatti/Distribution & Maintenance/A.No.92/7 and quash the same and pass such further or other orders.

For Petitioner : Mr.Arulvadivelu @ Sekar

For Respondents : Mr.S.Deenadhayalan
Standing counsel for RR1to3

Mr.Nallathambi for R4

ORDER

This Writ Petition had been filed challenging the impugned order passed by the third respondent dated 20.07.2017 and to quash the same by allowing the above writ petition.

2. The order that had been challenged by the petitioner is a communication intimating the petitioner that he had produced certain forged document and had obtained the service connection in his name and therefore appropriate proceedings is sought to be initiated against him for disconnecting the electricity connection provided to the petitioner.



W.P.(MD) No.13849 of 2017

WEB COPY

3. It is also further brought to the notice of this Court that the civil proceedings between the petitioner and the fourth respondent is pending in Special Leave Petition Civil No.23906 of 2022. It is also to be noted that by order dated 05.01.2023, the Hon'ble Apex Court had directed the maintenance of status quo with regard to possession.

4. In such view of the matter, even if the Department has to proceed upon the said connection impugned herein, notice to the petitioner for such disconnection can only be issued after the disposal of the said Special Leave Petition or modification of the said interim order dated 05.01.2024. Till such time, the respondent shall not precipitate the matter. As and when the Special Leave Petition is decided one way or the other, it will be open to the Department to proceed against the petitioner in the manner known law.

5. Accordingly, this Writ Petition is disposed of on the above terms. However, there shall be no orders as to costs. Consequently, connected Miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
gba

28.11.2024



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W.P.(MD) No.13849 of 2017

K.KUMARESH BABU, J.

Gba

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