



WEB COPY



W.P.No.3744 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.3744 of 2025

and

W.M.P.No.4141 of 2025

N.HAJEE MOHAMMED

... Petitioner

Vs

THE ASSISTANT ELECTRICITY ENGINEER,
TAMIL NADU GENERATION & DISTRIBUTION CORPORATION LIMITED,
O & M/MUTHIYALPET,
CEDC/CENTRAL,
CHENNAI – 600 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, to call for the records pertaining to the impugned notice dated 21.01.2025 vide Lr.No.AE/O&M /MPT/F.DOC./D.No.259/2024-2025 on the file of the respondent herein and to quash the same as illegal, arbitrary and unconstitutional.

For Petitioner : Mr.K.Balaji Asirvadam

For Respondent : Mr.L.Jaivenkatesh (TANGEDCO)



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ORDER

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This writ petition is filed for a writ of certiorari to call for the record pertaining to the impugned notice in Lr.No.AE/O&M/MPT/F. DOC./D.No.259/2024-2025 dated 21.01.2025. By the said notice, the electricity connection given in favour of the petitioner is sought to be disconnected.

2. It is the case of the petitioner that he is a tenant under one Mr.OMC. Geelani, the owner of the premises since 2007 and a monthly rent of Rs.18,000/- was paid. Though, a tenant can only be evicted in the manner known to law, the electricity disconnection cannot be resorted to by the landlord.

3. In this case, it is the case of the landlord as well as the Electricity Board that the petitioner represented himself as a tenant and obtained the electricity connection. When the petitioner filed the suit in O.S.No. 4325 of 2017, it was held that he is not at all a tenant. The petitioner also filed RCOP



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No. 825 of 2018 to deposit the rent, claiming himself to be a tenant. In the said proceedings, it was held that the petitioner is not a tenant and the case was dismissed. In any event, this suit and the RCOP are very material facts for filing this writ petition. When the petitioner claimed himself to be a tenant, the said proceedings were completely suppressed in the affidavit filed in support of the writ petition. Therefore, this writ petition is dismissed on the ground of suppression of the material facts. It is also represented that the service connection has already been disconnected.

4. In view thereof, this writ petition is dismissed with a cost of Rs.2,000/-. Consequently, connected miscellaneous petition is closed.

05.02.2025

Neutral Citation: Yes/No
nsl

To
THE ASSISTANT ELECTRICITY ENGINEER,
TAMIL NADU GENERATION & DISTRIBUTION CORPORATION LIMITED,
O & M/MUTHIYALPET,
CEDC/CENTRAL,
CHENNAI – 600 001.

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D.BHARATHA CHAKRAVARTHY, J.

nsI

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