



W.P.(MD) No.15094 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.15094 of 2025
and
W.M.P.(MD) Nos.11358 to 11360 of 2025**

D.Chanderakandeeban

... Petitioner

Vs

1. The Executive Engineer,
TANGEDCO, Operation and Maintenance,
Pattukottai O & M Revenue Branch,
Pattukottai O & M,
Thanjavur District.

2. The Assistant Executive Engineer,
TANGEDCO, Operation and Maintenance,
Perumal Kovil,
Pattukkottai,
Thanjavur District.

3. The Assistant Engineer,
TANGEDCO, Operation and Maintenance,
Perumal Kovil Branch,
Pattukkottai,
Thanjavur District.



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4. Manivasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 11.12.2024 passed by the third respondent *vide* proceedings in Letter No.U.Mi.Po/E&Para/Pea/Ko/Va.Aa/Ko/Mi.Thi./A.No. 447/2024 and its consequential notice, dated 25.02.2025 issued by the first respondent *vide* proceedings in Letter No.EE/O & M/PKT/AAO/RB/AS.2.D.No. 186 and quash the same as illegal received on 22.04.2025 and consequently direct the respondents 1 to 3 to conduct the enquiry afresh by affording sufficient opportunity to the parties concerned in within a stipulated time period accordance with law.

For petitioner : Mr.C.Senthil Murugan

For respondents : Mr.M.Viji
for Mr.K.Nagarajan
Standing Counsel for R1 to R3

ORDER

The Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned Standing Counsel for the respondents 1 to 3 after dispensing with the notice to the fourth respondent.

2. The petitioner has challenged the recovery proceedings initiated by the



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third respondent on account of the theft of energy, purportedly by the fourth respondent, who was a lessee of the petitioner's property in Survey No.207/5, situated at Kurichi Village, Pattukottai Taluk, Thanjavur. The petitioner was apparently running a Prawn Culture Unit in the abovesaid land and thereafter, leased the same to the fourth respondent, who appears to have committed theft.

3. It is the further case of the petitioner that the petitioner was not to put to notice of the same, before the impugned recovery notice was issued.

4. It is the further case of the petitioner that the petitioner is, now, working as an employee and has no means to pay the amount.

5. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

6. For the theft committed by the fourth respondent for the Prawn Culture Farm, which is running on the petitioner's land, it is for the petitioner to recover the amount that has been levied by the third respondent from the fourth



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respondent.

7. Considering the fact that the petitioner claims to be unaware of the means doing by the fourth respondent, the Court is inclined to come to the partial rescue of the petitioner by directing the petitioner to pay 50% of the amount demanded by the third respondent within a period of 30 days from the date of receipt of a copy of this order.

8. The petitioner shall be heard by the third respondent. Thereafter, in case, the amount, that has been demanded, is confirmed, the petitioner shall pay the balance amount and recover the same from the fourth respondent. The respondents 1 to 3 shall maintain *status quo* till the payment of the amount by the petitioner within such time.

9. This writ petition is disposed of with above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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