



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

WEB COPY

PRESENT

THE HON`BLE MR.JUSTICE MOHAMMED SHAFFIQ

WMP.No.12807 of 2022

in WP.No.13596 of 2022

SAMPANGI

[PETITIONER]

Vs

1 THE ASSISTANT EXECUTIVE ENGINEER,
OPERATION AND MAINTENANCE
TANGEDCO-BAGALUR, NEAR GOVT. HIGH SCHOOL,
BAGALUR, HOSUR TALUK, KRISHNAGIRI DISTRICT.

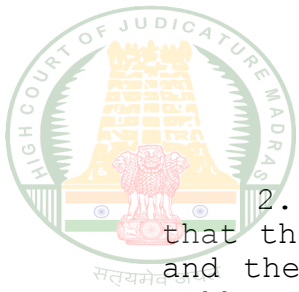
[RESPONDENTS]

2 M/S.SANTHOSH CONSTRUCTIONS
REP. BY ITS PROPRIETOR VASANTHA
HAVING ITS REGISTERED OFFICE AT
NO.28/141, VATTARAVALARCHI COLONY,
KRISHNAGIRI MAIN ROAD,
DHARMAPURI TALUK AND DISTRICT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the impugned order in proceedings, Ka. En. Uu. Se. Po / Ee. Pa / Bagalur / Ko. Minthiruttu / No. 645-1 / 21-22, Dated 28.01.22 on the file of the 1st respondent [IN WMP.No.12807/2022] pending disposal of the above WP.No.13596/2022

Order : This Miscellaneous petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.C.VISHWANTH, Advocate for the petitioner and of M/S.L.JAI VENKATESH, STANDING COUNSEL on behalf of the 1st Respondent, the court made the following order:-

The writ petition is filed challenging the order dated 28.01.2022, wherein, a sum of Rs.38,85,620/- (Rupees Thirty Eight Lakhs Eighty Five Thousand Six Hundred and Twenty only) is demanded in view of the alleged theft of electricity.



2. It is submitted by the learned counsel for the petitioner, that the petitioner is the owner of the land in S.No.75/2C and 72/4 and the adjacent land in S.No.71/2, to an extent of 0.30 cents in Bukkasagaram village, the said property in question was given on lease in favour of the 2nd respondent, who is no longer in occupation of the premises. There was an inspection by the 1st respondent on 07.12.2021 and during the course of the inspection, it was allegedly found that the electricity meter boxes have been tampered and there has been theft of electricity.

3. It was submitted by the learned counsel for the petitioner that alleged theft found in inspection, if any, is only by the lessee i.e., the 2nd respondent. It is further submitted by the learned counsel for the petitioner that the electricity connection has been disconnected and the same has caused undue hardship to the petitioner, and thus prays for restoration.

4. It is submitted by the learned counsel for respondents that the petitioner's request for restoration of electricity may be considered if he pays 50% of the aforesaid amount as an interim measure, to which the petitioner counsel submitted that he is ready to pay Rs.8,00,000/-.

5. On considering the above submission of the learned counsel for the petitioner and the respondents, this Court is of the view that as an interim measure the petitioner is directed to pay 30% of the demand made vide proceedings of the 1st respondent in Ka.En.Uu.Se.Po/Ee.Pa/Bagalur/Ko.Minthiruttu/No.645-1/21-22 dated 28.01.2022 within a period of four weeks from the date of receipt of a copy of this order.

6. On complying with the above condition by the petitioner, as an interim measure, the 1st respondent is directed to restore the electricity connection forthwith on payment of 30% of the demand made vide impugned notice. It is made clear that the payment of 30% of the demand vide proceedings dated 28.01.2022 shall be made not later than 4 weeks from the date of receipt of a copy of this order.

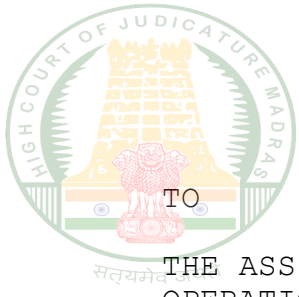
7. Post the matter after four weeks.

-sd/-

01/06/2022

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

THE ASSISTANT EXECUTIVE ENGINEER,
OPERATION AND MAINTENANCE
TANGEDCO-BAGALUR, NEAR GOVT. HIGH SCHOOL,
BAGALUR, HOSUR TALUK, KRISHNAGIRI DISTRICT.

C.C. to M/S.S.C.VISHWANTH, Advocate, SR.No.4194/2022.

Order
in
WMP.No.12807 of 2022
in WP.No.13596 of 2022

Date :01/06/2022

From 26.2.2001 the Registry is issuing certified
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RA 15/06/2022