

**Thangaraj. Vs. the Executive Engineer and ors.**

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**SooperKanoon Citation :** [sooperkanoon.com/927930](http://sooperkanoon.com/927930)

**Court :** Chennai

**Decided On :** Jun-04-2012

**Judge :** R.Sudhakar, J.

**Acts :** [Constitution of India](#) - Articles 226

**Appeal No. :** Writ Petition No.13426 of 2012 and M.P.No.1 of 2012

**Appellant :** Thangaraj.

**Respondent :** The Executive Engineer and ors.

**Advocate for Def. :** Mr.G.Vasudevan, Adv.

**Advocate for Pet/Ap. :** Mr.N.Subramani, Adv.

**Judgement :**

Writ Petition is filed under Article 226 of the [Constitution of India](#) praying to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent in Ka.No.,kpbgh-, & g-ehfY}h;-nfh/fl;L A.No.69/10 dated 30.08.2011, quash the same and consequently direct the respondents to restore the original position of Service Connection No.159 to the petitioner's common well available in S.No.118/8b Ogaiyur Village, Kallakurichi.

**ORDER**

1. This Writ Petition is filed praying to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent in Ka.No.,kpbgh-, & A.No.69/10 dated 30.08.2011, quash the same and consequently direct the respondents to restore the original position of Service Connection No.159 to the petitioner's common well available in S.No.118/8b Ogaiyur Village, Kallakurichi.

2. Mr.G.Vasudevan, learned standing counsel appearing for the electricity board takes notice on behalf of the respondents 1 to 3. In view of the order that is to be passed in this matter, the notice to the fourth respondent is dispensed with. By consent the writ petition is taken up for final disposal.

3. It appears that the name of the fourth respondent has been incorporated in the service connection by the official respondents. Thereafter, the fourth respondent has taken steps for shifting of the service connection. This is objected to by the petitioner by way of legal notice dated 24.8.2011 and in response, the official respondents have issued the impugned notice dated 30.8.2011 calling upon the petitioner to submit documents in support of his claim.

4. Petitioner claims that he has submitted certain documents in person to the authority. The proof of submitting the said documents is not placed before this Court. There is no proper reply to the letter of the respondents dated 30.8.2011.

5. In such view of the matter, this court is not inclined to go into the factual disputes raised with regard to the shifting of service connection in favour of the fourth respondent. Petitioner is at liberty to approach the appropriate civil court, if he so desires, to resolve the issue. The Writ Petition is not maintainable.

6. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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