

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. No.186 of 2015 and M.P. No.1 of 2015

- 1 The Tamil Nadu Electricity Board
represented by its Chairman
No.800, Anna Salai
Chennai 600 002
 - 2 The Superintending Engineer
Tamil Nadu Electricity Board
CEDC/South, 110 KV, S.S. Complex
K.K. Nagar
Chennai 600 078
 - 3 The Executive Engineer (O & M)
Tamil Nadu Electricity Board
Adyar, Near Tidel Park
Taramani Road
Chennai 600 113
 - 4 The Assistant Executive Engineer (O & M)
Tamil Nadu Electricity Board
Velachery, Chennai 600 042
- Appellants/
Respondents 1 to 4

vs.

- 1 M/s.Prasanth Fertility Research Centre (P) Ltd.
Represented by its Director
Dr. C. Geetha Haripriya
 - 2 M/s.Accurate Foundations Private Ltd.
Represented by its Director Dr. Geetha Haripriya
New Door No.285 & 287, Velachery Main Road
Velachery
Chennai 600 042
- ...Writ petitioners 1 & 2

3 Chennai Metropolitan Development authority
represented by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

Respondents 1 to 3/
5th Respondent

Writ Appeal filed under Clause 15 of the Letters Patent as
against the order dated 19.06.2014 passed in W.P. No.27404 of 2013.

W.P.No.27404 of 2013:-This petition praying for the issuance of
a writ of mandamus to direct the respondents 1 to 4 to receive the
application from the petitioners and to provide electricity service
connection for the building put up at Old Door No.36A (forming part
of Old Door Nos.36 and 36A) Velacherry Chennai 42 without
insisting upon completion certificate from the 5th respondent.

For appellant Mr. P. Gunaraj

For RR 1 & 2 Mr. Abishek
for M/s. A. Jenasenan

For R3 Mr. Raja Shrinivas

JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

This writ appeal is directed against the order dated 19.06.2014
passed in W.P. No.27404 of 2013.

2 The learned counsel for the private respondents herein
(hereinafter referred to as "the writ petitioners") would submit
that the writ petitioners had already obtained the requisite
completion certificate in respect of the property in question. The
writ petitioners have filed an application for grant of electricity
service connection in accordance with law. The writ petitioners do
not want any exemption. in respect of the requirement of production
of completion certificate. In that view of the matter, no
interference is warranted, at this stage.

3 On a perusal of the impugned order passed by the Writ
Court, it appears that a direction has been given to the appellants
herein to consider the application of the writ petitioners for
electricity connection, de hors the completion certificate from the
C.M.D.A., which is sine qua non for obtaining electricity
connection.

4 In the case on hand, since the writ petitioners are ready and willing to supply all the requisition information/certificates, including completion certificate, no further order is necessary. We further clarify that the case of the writ petitioners for grant of electricity connection shall be considered on merits and in accordance with law, at the earliest.

5 The writ appeal stands disposed of with the above observation. Connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

cad

To

1 The Chairman
The Tamil Nadu Electricity Board
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Tamil Nadu Electricity Board
Velachery, Chennai 600 042

1 cc to Mr.P. Gunaraj, Advocate, sr. 12470

1 cc to Mr.K. Raja Shrinivas, advocate, Sr. 12381

W.A. No.186 of 2015

JSV (CO)

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