

IN THE HIGH COURT OF JUDICATUARE AT MADRAS

DATED:04-9-2015

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THE HONOURABLE **MR.JUSTICE N.KIRUBAKARAN**

W.P.No.27933 of 2015

Mrs.Hemalatha
Proprietrix
My Kaapin Cup,
No.35,G3, AMC Centre,
Viswanathapuram Main Road,
Kodambakkam,
Chennai-34.

... Petitioner

Vs.

The Assistant Engineer (Distribution)
Chintadripet Division, TANGEDCO,
Chennai.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of writ of mandamus directing the respondent herein to reconnect the petitioner's shop electricity connection No.01102052721 which is situated at Slimlin Square, D.No.52 (New No.), 842/4 (Old No) Mount Road, Chennai-600 002 and to ensure and forbear the respondent from infringing and violating the Fundamental & Constitutional Rights of the petitioner's guaranteed & enshrined in the Articles 19 of the Constitution of India.

For Petitioner :Mr.P.Nethaji
For Respondent :Mr.P.R.Dhilipkumar for TNEB

ORDER

The petitioner is a tenant, running a coffee retail outlet at new D.No.52 , Old D.No.842/4, Mount Road, Chennai-600 002. He is the tenant under one Hussain Shahib in respect of the said building. The service connection to the petitioner's portion bearing No.01102052721 stands in the name of her owner Hussain Shahib. The meter box for the said service connection is installed in the inside of the adjacent shop, which is run by one Rakesh Jain, who is also a tenant in the same building under the same owner.

2. From the month of April, 2015, the petitioner's consumption charge was fixed at Rs.20,849/-. She paid the said amount also. However, a complaint was lodged to the respondent. Based on the petitioner's complaint, the fault was rectified. Thereafter, from the month of June, bill was raised for an amount Rs.6000/-.

3. However, for the month of July and August, bill was raised for a sum of Rs.15,375/-. Since the said current consumption charges found to

be on the higher side, the petitioner lodged a complaint and was waiting for the result. However, the respondent disconnected electricity connection on 25.8.2015. Thereafter, the petitioner paid the said amount on 26.8.2015. Even thereafter, the electricity service connection has not been restored. Hence the petitioner is before this Court.

4. Heard Mr.P.Nethaji, learned counsel appearing for the petitioner and Mr.P.R.Dilipkumar, the learned counsel appearing for the respondent.

5. The learned counsel appearing for the respondent on instruction would submit that the petitioner already paid the amount and when their official went for giving reconnection, the meter box was kept locked and they could not give the reconnection. It is categorical contention of the petitioner in paragraph 3 of the affidavit that the meter box has been installed in the adjacent shop, which is run by one Rakesh Jain.

6. Since the admitted amount was already paid by the petitioner, there may not be any problem for the respondent to restore the service reconnection if the meter box is found to be locked and inspite of request made, the person who locked the meter box, does not open it, it is open for

the respondent to break open and give reconnection to the petitioner's shop .

7. With the above, the writ petition is disposed of. No costs.
Consequently the connected M.P.No.1 of 2015 is closed.

4.9.2015

Index : Yes/No
Internet: Yes/No
vk

To:
The Assistant Engineer (Distribution)
Chintadripet Division, TANGEDCO,
Chennai.

N.KIRUBAKARAN,J.

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W.P.No.27933 of 2015

4.9.2015