

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2015

CORAM

THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P.No.15241 of 2015

and

M.P.No.1 of 2015

S.N.Kirubanandam

... Petitioner

Vs.

1. The Assistant Engineer,  
Tamil Nadu Electricity Board,  
Nerkundram,  
Chennai.

2. The Commissioner,  
Panchayat Union,  
Villivakkam, Ambattur,  
Chennai-55

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of mandamus to call for the records on the file of the first respondent and to direct him to provide the domestic electricity service connections to the petitioner's building immediately.

For Petitioner : Mr.S.N.Kirubanandam  
party-in-person

For Respondents : Mr.P.R.Dilipkumar for R1  
Mr.R.Vijayakumar,A.G.P.  
for R2

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## ORDER

Heard Mr.S.N.Kirubanandam, the petitioner in person and Mr.P.R.Dilipkumar, the learned counsel for the first respondent and Mr.R.Vijayakumar, the learned Additional Government Pleader for the second respondent.

2. The petitioner seeks for a direction to the first respondent to provide domestic electricity service connection to his premises at Nos.1 and 2, Samuel Colony, Nerkundram.

3. According to the petitioner, he is the owner of the property comprised in S.Nos.1 and 2, Samuel Colony, Nerkundram, admeasuring an extent of 4800 sq.ft. During the year 2011 he applied to the second respondent for planning permission for construction of seven portions i.e. silt, 1st and 2nd floors (ground floor 1 portion, 1st floor 4 portions and second floor 2 portions). On completion of the construction, he applied for seven domestic electricity service connections during the month of April and till date, neither the application was rejected nor electricity service connection was provided to the premises in question. The petitioner explained that there is no floor or square feet violation in the building put up by him; the construction is strictly in accordance with the planning permission sanctioned and approved by the second respondent and therefore, there is no deviation or violation in the construction of the building. The petitioner therefore contended that the failure to provide electricity service connection to his building is illegal and affects his right to have the electricity service connection. He has also submitted a representation to the first respondent to that effect.

4. When the matter is taken up today, the learned counsel for the first respondent/Electricity Board has come up with a written instruction regarding the petitioner's claim for providing electricity service connection to seven dwelling units, wherein it has been stated that as per the Electricity Board Rules, only six dwelling units can be provided with electricity service connection and for more than six dwelling units, one must produce the completion certificate.

5. In view of the above stand taken by the first respondent, the petitioner has now restricted his usage for six dwelling units

and submitted that he would be satisfied if he has been provided with electricity service connection for six dwelling units.

6. The learned counsel for the first respondent/Electricity Board would submit that as per the Electricity Board Rules in Memo No.CE/Comml/EE3/AEE2/F.Planning Permission/D.653/12, dated 3.12.2012 and also the letter No.ECL/15998/SPL/2012, dated 18.3.2013, necessary action will be taken for providing electricity service connection to six dwelling units of the petitioner premises and he has also produced the letter, dated 28.5.2015, issued by the Assistant Engineer O & M, Chennai Electricity Distribution Circle, West, TANGEDCO/Nerkundram West, Koyambedu, Chennai-107, informing the learned counsel for the Electricity Board that they are taking steps to provide electricity service connection to the petitioner's six dwelling units.

7. In the light of the above stated position, as the first respondent has taken a decision to provide electricity service connection to the petitioner's six dwelling units, this writ petition is disposed of directing the first respondent to adhere to his communication dated 28.5.2015, addressed to the counsel for the Electricity Board and provide electricity service connection to the petitioner's six dwelling units.

8. In view of the urgency expressed by the petitioner that 'Grahapravesam' is going to be performed on 29.05.2015, the learned counsel for the first respondent/Electricity Board shall inform the Assistant Engineer concerned, to take all efforts to provide electricity service connection to the petitioner's premises possibly by today itself.

9. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

Sd/-

Deputy Registrar(Vocation Order)

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msk

Sub Assistant Registrar

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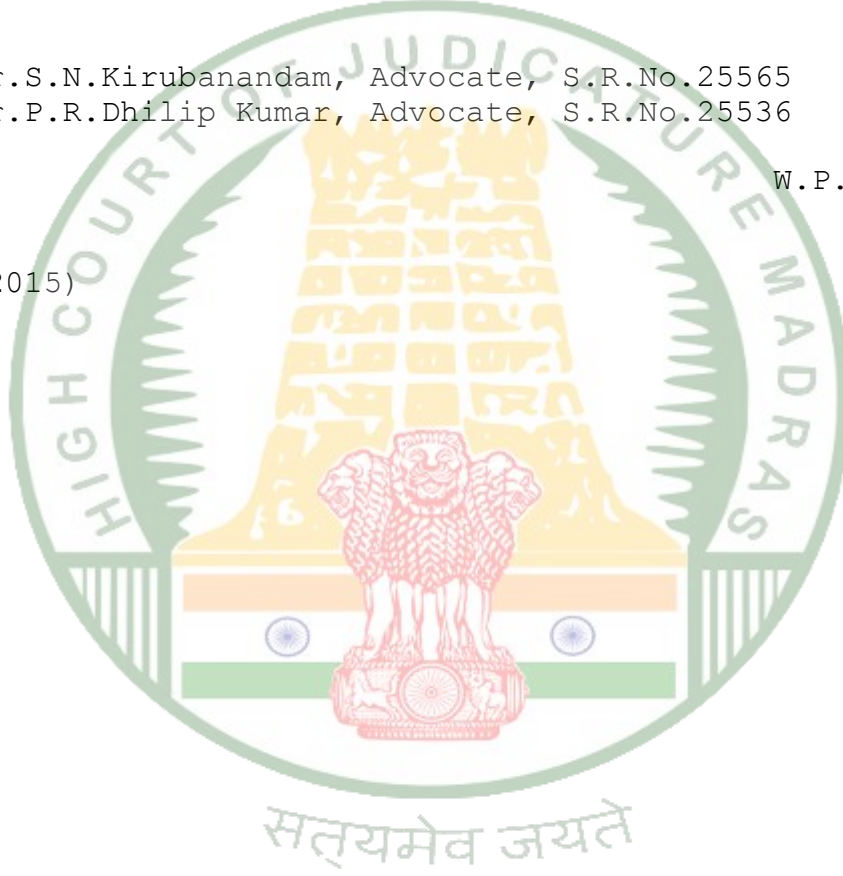
To

1. The Assistant Engineer,  
Tamil Nadu Electricity Board,  
Nerkundram,  
Chennai.
2. The Commissioner,  
Panchayat Union,  
Villivakkam, Ambattur,  
Chennai-55

+1cc to Mr.S.N.Kirubanandam, Advocate, S.R.No.25565  
+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No.25536

W.P.No.15241 of 2015

EV(CO)  
CA(08/06/2015)



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