

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.09.2015

Coram :

The Hon'ble Mr.Justice N.KIRUBAKARAN

W.P.Nos.29676 & 29677 of 2015
and M.P.Nos.1 of 2015

- 1.T.K.Srinivasan (aka) T.K.Srinivas Chari
- 2.Rangashree Srinivas
- 3.S.Shailasri
- 4.Vydehi Chari
- 5.Uttara Gopalan (aka) Uthra Gopalan

... Petitioners in
both WPs

vs

- 1.TANGEDCO,
Rep.by its Chairman and Managing Director,
800 Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Chennai Electricity Distribution Circle West,
Thirumangalam - Mogappair Road,
Anna Nagar, Chennai - 600 040.
- 3.The Asst. Engineer,
TANGEDCO,
Chennai Electricity Distribution Circle West,
Shenoy Nagar,
Chennai - 600 030.

- 4.The Corporation of Chennai
Rep.by its Commissioner,
Chennai.
(R4 suo moto impleaded as per order
dated 22.09.2015 in WP 29676/2015)

... Respondents in WP
No.29676 of 2015

- 1.The Managing Director
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai - 600 002.

2.The Area Engineer - VIII,
Chennai Metropolitan Water Supply
and Sewerage Board, Division 102,
Shenoy Nagar, Aminjikarai,
Chennai - 600 029.

... Respondents in
WP No.29677 of 2015

Prayer in WP No.29676/2015 :- Writ Petition is filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondents herein to provide electricity service connection forthwith to the petitioners' newly constructed building bearing New Door No.4 & 6 (Old Door No.39), East 2nd Cross Street, Shenoy Nagar, Chennai - 600 030 comprised in T.S.No.11/1, 2, & 3, Block No.16, Aminjikarai Division (Old Survey No.56/3 & 59/2 Part), Aminjikarai Taluk, Chennai District, pursuant to the completion certificate issued by the CMDA in C.C.No.EC/North-I/362/2015 dt.19.08.2015 and the proceedings of CMDA addressed to the 1st respondent in Lr.No.EC/CC/N-1/11333/2015 dt.19.08.2015.

Prayer in WP No.29677/2015 :- Writ Petition is filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondents herein to water / sewerage connection forthwith to the petitioners newly constructed building bearing New Door No.4 & 6 (Old Door No.39), East 2nd Cross Street, Shenoy Nagar, Chennai - 600 030 comprised in T.S.No.11/1, 2, & 3, Block No.16, Aminjikarai Division (Old Survey No.56/3 & 59/2 Part), Aminjikarai Taluk, Chennai District, pursuant to the completion certificate issued by the CMDA in C.C.No.EC/North-I/362/2015 dt.19.08.2015 and the proceedings of CMDA addressed to the 1st respondent in Lr.No.EC/CC/N-1/11333/2015 dt.19.08.2015.

For Petitioners : Mr.V.P.Sengottuvel
in both WPs

For Respondents : Mr.P.R.Dhilip Kumar for
in WP 29676/2015 R1 to R3
Mr.P.V.Selvakumar
for R4

For Respondents : Mr.Janakiraman
in WP 29677/2015

COMMON ORDER

The petitioners are the absolute owners of Plot No.95, 'C' type, measuring an extent of two grounds and 2132 sq.ft. in Shenoy Nagar Scheme comprised in T.S.Nos.11/1, 2 & 3, Block No.16, Aminjikarai Division, Aminjikarai Taluk, Chennai District now bearing new Door No.4 & 6 (Old Door No.39), East 2nd Cross Street, Shenoy Nagar, Chennai - 600 030. The petitioners entered into a joint development agreement with M/s.Pushkar Properties (P) Ltd., to demolish the existing building and to construct six apartments in stilt + 3 floors. The demolition was made after obtaining permission from Corporation of Chennai on 23.10.2013.

2. The petitioners submitted application to CMDA on 23.01.2014 for building permission and the same was granted on 24.07.2014. Accordingly, the building was constructed and the petitioners approached the Chennai Metropolitan Water Supply and Sewerage Board for metro water & sewerage connection and paid the necessary fees on 02.06.2015. In order to provide water supply and sewerage connections to the building, CMDA had addressed letter dt.19.08.2015 to TANGEDCO. The petitioners also made applications to TANGEDCO for six power supply service connections to the newly constructed residential apartments. Though TANGEDCO received the application and necessary fees from the petitioners, electricity service connection has not been provided which compelled the petitioners to approach this Court.

3. Heard Mr.V.P.Sengottuvel, learned counsel appearing for the petitioners, Mr.P.R.Dhilip Kumar, standing counsel appearing for TANGEDCO, Mr.P.V.Selvakumar, learned counsel appearing for the Corporation of Chennai and Mr.Janakiraman, learned counsel appearing for CMDA.

4. It is represented by Mr.Sengottuvel, learned counsel for the petitioners that the petitioners had already paid the road cutting charges to the Corporation on 19.08.2015.

5. Mr.P.V.Selvakumar, learned counsel appearing for Corporation of Chennai would submit that road cutting work has been completed. Mr.P.R.Dhilip Kumar, learned counsel appearing for TANGEDCO and Mr.Janakiraman, learned counsel appearing for CMDA would submit that the electricity service connection as well as water supply and sewerage connection has been provided to the petitioners premises today which was also confirmed by the learned counsel for the petitioners.

5. Since the prayers sought for by the petitioners have been complied with by the respondents herein, no further order is required to be passed by this court.

6. With the above observation, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

rgr

To

1.The Chairman and Managing Director,
TANGEDCO, 800 Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
TANGEDCO, Chennai Electricity
Distribution Circle West,
Thirumangalam - Mogappair Road,
Anna Nagar, Chennai - 600 040.

3.The Asst. Engineer,
TANGEDCO, Chennai Electricity
Distribution Circle West,
Shenoy Nagar, Chennai - 600 030.

4.The Commissioner,
Corporation of Chennai,
Chennai.

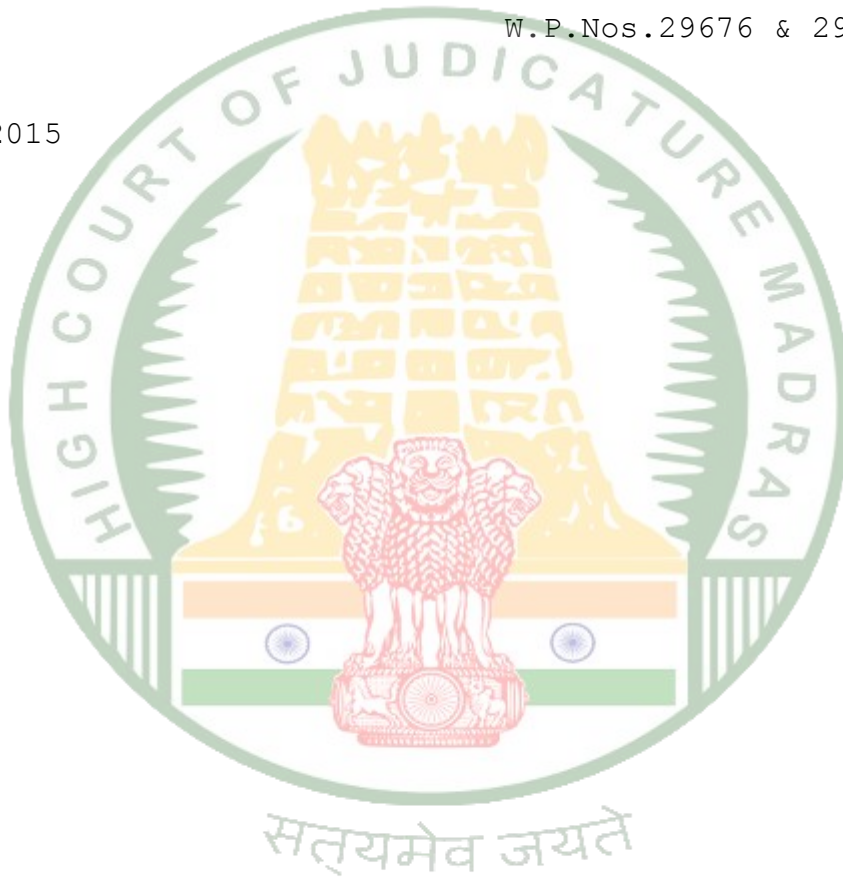
5.The Managing Director
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6.The Area Engineer - VIII,
Chennai Metropolitan Water Supply
and Sewerage Board, Division 102,
Shenoy Nagar, Aminjikarai,
Chennai - 600 029.

+1 cc to Mr.P.V.Selvakumar,Advocate(sr.52702
+1 cc to Mr.S.Janakiraman,Advocate(sr.53444)
+1 cc to Mr.V.P.Sengottuvel,Advocate(sr.53093)

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LRS(co)
cp 16/10/2015



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