

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.11.2015

Coram

The Hon'ble Mr.Justice T.S. SIVAGNANAM

W.P.No.30340 of 2015

C.Yasotha Bhai

.. Petitioner

Vs

1. The Chairman,  
Tamilnadu Electricity Board,  
144, Anna Salai,  
Chennai - 600 002.
  2. Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
Rep., by its Chairman and Managing Director,  
144, Anna Salai,  
Chennai - 600 002.
  3. The Executive Engineer,  
(TANGEDCO),  
Division No.1,  
Thondiarpet,  
Chennai - 81.
  4. R.Maripandi
- .. Respondents

Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to the third respondent to give Electricity supply and petitioner's premises at No.119/22, North Mada Street, Thiruvottiyur, Chennai - 19 based on the petitioner's representation dated 11.06.2015.

For Petitioner .. Mr.M.Sarfudeen Ahamed

For Respondents .. Mr.P.R.Dhilipkumar for RR1 to R3  
Mr.P.Amarnath for R4

O R D E R

Heard the learned counsels appearing on either side and perused the materials placed on record. By consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2. The petitioner is a tenant in respect of the premises in question and seeks for restoration of electricity service connection, which was disconnected by the respondent Board on account of the default committed by the petitioner. The petitioner earlier moved the Rent Controller by filing RCOP.No.43 of 2013, for restoration of the amenities.

3. The Rent Controller by order dated 16.07.2014, dismissed the petition on the ground that the disconnection was not at the instance of the landlord, but on account of the default committed by the petitioner/tenant.

4. Though the petition was dismissed by the Rent Controller, the petitioner has not chosen to file any appeal as against the said order and has now approached this Court by filing a Writ Petition.

5. In my view, there is no cause of action for filing the Writ Petition. If the petitioner is a defaulter, he has to approach the Board, remit all dues, penalty and other charges and seek for reconnection, for which no direction need be issued, especially in the light of the fact that the Rent Controller also dismissed the petition in RCOP No.43 of 2013, on the above grounds.

6. Hence, while declining to grant the relief sought for, liberty is granted to the petitioner to approach the third respondent for reconnection of the electricity supply.

The Writ Petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

pbn

Sd/-

Assistant Registrar (CS-VII)

/True Copy/

Sub-Assistant Registrar

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To

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Thondiarpeta,  
Chennai - 600 081.

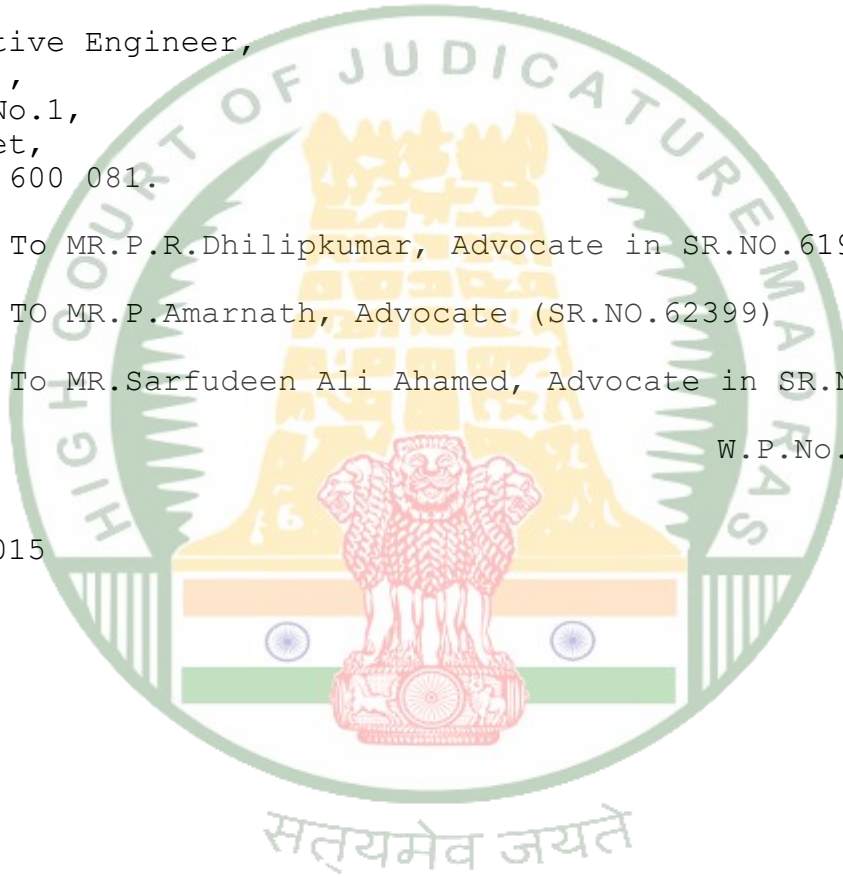
+1 C.C. To MR.P.R.Dhilipkumar, Advocate in SR.NO.61918

+1 C.C. TO MR.P.Amarnath, Advocate (SR.NO.62399)

+1 C.C. To MR.Sarfudeen Ali Ahamed, Advocate in SR.NO.61947

W.P.No.30340 of 2015

JSV(CO)  
sd : 25/11/2015



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