

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.03.2015

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY.J

WP.No.4557 of 2015
and M.P.No.1 of 2015

Irudaya Rani

.. Petitioner

v.

1.The Chairman,
TANBGEDCO,
No.144, Anna Salai,
Chennai - 600 002.

2.The Assistant Engineer(O &M)
Tamilnadu Electricity Board,
Nugambakkam High Road
(Near Indian Oil Bhavan)
Chennai 600 034

3.The Assistant Engineer
Nungambakkam Area No.9,
Corporation Division No.117
Valluvarkottam High Road,
Chennai - 600 034

4. Vetriveeran

5. Ambedkar

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to provide electricity connection as per their Receipt No.129/05012/154, dated 17.05.2012 for which the 3rd respondent is to act in tandem to provide the road cutting facility for laying the cables in Grama 1st Street on the 8 9 common pathway leading to the petitioner's house in the above address shown as items No.III & IV in the sketch in the above address which is pending for more than 2 1/2 years without any reason.

For Petitioner : Mr.G.Vasudevan
For Respondent : Mr.P.R.Dilip Kumar
Standing Counsel (TNEB)
- for R1 & R2

Mr.A.Nagarjan - for R3

No appearance - for R4 & R5

O R D E R

Heard Mr.G.Vasudevan, learned counsel appearing for the petitioner, Mr.P.R.Dilip Kumar, learned Standing Counsel, appearing for the respondents 1 and 2 and Mr.A.Nagarjan, learned counsel appearing for the 3rd respondent. Though notices were served on the respondents 4 and 5 and their names have been printed in the cause list, none appeared on their behalf.

2. The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the second respondent to provide electricity connection as per their receipt dated 17.05.2012, for which the third respondent is to act in tandem to provide the road cutting facility for laying the cables in Grama 1st Street on the 8.9 feet common pathway leading to the petitioner's house.

3. It is the case of the petitioner that in spite of the earlier writ petitions in W.P.Nos. 21352 of 2013 and 21351 of 2013, the respondents have not provided the service connection to the house of the petitioner. It is not in dispute that the petitioner is having single phase electricity connection at present and she wants to convert it into three phase electricity connection for which, Corporation road have to be dug and cable to be laid for providing three phase electricity connection.

4. When the matter is taken up for hearing, learned Standing Counsel appearing for the respondents 1 and 2 submitted that since the road cutting have to be done by the third respondent, only after completing the road cutting work by the third respondent, the second respondent can execute the work for providing three phase electricity connection to the petitioner.

5. Learned counsel appearing for the third respondent submitted that the petitioner has not given any representation to them for cutting the road and therefore, the petitioner may be directed to give a representation to the third respondent and to pay the necessary charges for execution of the road cutting work.

6. Mr.G.Vasudevan, learned counsel appearing for the petitioner submitted that the petitioner would give a representation to the third respondent for cutting the road to provide three phase electricity connection to his house along with necessary charges as demanded by the third respondent within a period of one week and in such case, the respondents 1 to 3 may be directed to execute the work for providing three phase electricity connection to the petitioner's house.

7. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the earlier orders passed in the writ petitions stated above, I direct the petitioner to submit a representation to the third respondent for execution of the road cutting work, within a period of three days from the date of receipt of a copy of the order and pay the necessary charges as demanded by the third respondent for execution of the road cutting work, within a week from the date of demand made by the third respondent. After making payment of requisite charges to the third respondent, the respondents 1 to 3 shall execute the work and provide three phase connection to the petitioner's house within a period of three weeks thereafter. In the earlier writ petition in W.P.No. 21352 of 2013, this court had directed the Inspector of Police, Nungambakkam to provide necessary protection to the respondents. Following the said order, I direct the Inspector of Police, Nungambakkam to provide necessary protection to the respondents 1 to 3 to provide electricity connection to the petitioner's premises.

With these observations, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Rj

s/d-
Assistant Registrar (CS-III)
Dt:1/4/2015

True Copy सत्यमेव जयते

Sub-Assistant Registrar

To

1.The Chairman,
TANBGEDCO,
No.144, Anna Salai,
Chennai - 600 002.

2.The Assistant Engineer(O &M)
Tamilnadu Electricity Board,
Nugambakkam High Road
(Near Indian Oil Bhavan)
Chennai 600 034

3.The Assistant Engineer
Nungambakkam Area No.9,
Corporation Division No.117
Valluvarkottam High Road,
Chennai - 600 034

4.The Inspector of Police,
Nungambakkam.

+ 2 ccs to Mr.G.Vasudevan, Advocate SR 18209, 18187

+ 1 cc to Mr.P.R.Dilip Kumar, Advocate SR 18186

+ 1 cc to Mr.A.Nagarajan, Advocate SR 18542.

scd(co)
prk1/4

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