

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2016

CORAM:

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.A. No.1617 of 2015
and
M.P.No.1 of 2015

E.Mani (Royal)

Appellant/Petitioner

vs.

1.The Tamil Nadu Electricity Board
rep. by its Chairman,
Anna Salai, Chennai.

2.The Executive Engineer,
Operation and Maintenance,
TNEB, Sankari.

3.The Junior Engineer,
TNEB O & M,
Pallipalayam East,
Namakkal District.

Respondents

Appeal filed under Clause 15 of Letters Patent against the order dated 10.07.2015 in M.P.No.1 of 2013 in W.P.No.21558 of 2013. This petition filed U/A.226 of the constitution of India praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the respondents to restore power connection to the petitioners service line bearing SC No.612TFI at Taj Nagar S.P. B. Colony Post Pallipalayam Namakkal;

For Appellant .. Mr.N.A.Nissar Ahmed

For Respondents.. Mr.S.K.Rameshwar

JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

Mr.S.K.Rameshwar, learned counsel accepts notice on behalf of the respondents. With the consent of the learned counsel for the parties, the writ appeal is taken up for final disposal.

2.The instant appeal arises out of the order dated 10 July 2015 made in M.P.No.1 of 2013 in W.P.No.21558 of 2013.

3.On perusal of the pleadings and documents, it is noticed that on 05 August 2013, the respondents were directed to provide electricity service connection to the appellant's/writ petitioner's residence on payment of a sum of Rs.1,19,000/-, which, according to the appellant/writ petitioner, could not be deposited on account of financial constraint faced by him.

4.Learned counsel appearing for the appellant/writ petitioner seeks permission to make a fresh application before the learned single Judge for modification of the order dated 10 July 2015 made in M.P.No.1 of 2013 in W.P.No.21558 of 2013, whereunder the application was dismissed on account of the non-compliance of the earlier order dated 05 January 2013 (sic. 05 August 2013).

5.Having regard to the facts and circumstances of the case, we are inclined to grant liberty to the appellant/writ petitioner to make a fresh application for modification of the order dated 10 July 2015 made in M.P.No.1 of 2013 in W.P.No.21558 of 2013 before the learned single Judge and also for expeditious disposal. It is ordered accordingly.

6.With the above observation, the writ appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.

2.The Executive Engineer,
Operation and Maintenance,
TNEB, Sankari.

3.The Junior Engineer,
TNEB O & M, Pallipalayam East,
Namakkal District.

+ 1 cc to Mr.N.A. Nissar Anmed, Advocate SR.2607

+ 1 cc to Mr. S.K. Raameshuwar, Advocate SR.2896

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PUR(CO)

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