

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.7.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.A.Nos.6, 185, 187, 188 of 2015, 1084, 1112,
1141 to 1143, 1144 to 1146, 1149, 1150 of 2014,
2233 of 2012, 2052, 2266 of 2013, 67, 1282,
1351, 1352 of 2014 and 269 of 2015
and
Connected Miscellaneous Petitions

- 1 Tamilnadu Electricity Board
Rep by its Chairman
No.800 Anna Salai
Chennai 600 002. ...1st Petitioner in WA.6/2015, 1112,
1142, 1143, 1144, 1149, 1150/14,
2052/13, 1282/14 and WA.1351/14
- 2 The Superintending Engineer (TANGEDCO)
CEDC/South J.J.Maligai K.K.Nagar
Sub Station K.K.Nagar
Chennai 600 078 ...2nd Petitioner in WA.6/15 and 1149/14
- 3 The Executive Engineer (O&M)
TANGEDCO K.K.Nagar
Chennai 600 078 ...3rd petitioner in WA.6/15
- 4 The Assistant Executive Engineer (O&M)
TANGEDCO Ramapuram
Chennai 600 089 ...4th Petitioner in WA.6/15
- 1 The Chairman
Tamilnadu Electricity Board No.800
Anna Salai, Chennai...1st Petitioner in WA.187, 188/15,
1084, 1145, 1146/14, 2233/12, 2266/13, 67/14
and 1352/14

The Assistant Engineer
(Operation & Maintenance)
Tamilnadu Electricity Board,
KK Nagar, Chennai. ...4th Petitioner in WA.187/15, & 1143/14

The Chairman
Tamilnadu Electricity Board No.800
Anna Salai, Chennai...1st Petitioner in WA.185/15

The Superintending Engineer
Tamilnadu Electricity Generation and
Distribution Corporation,
CEDC/SOUTH, 110 KVSS Complex,
KK Nagar, Chennai. ..2nd petitioner in WA.185/15, 1112/14,
1141/14, 1351/14 & 1143/14

The Executive Engineer O&M
Tamilnadu Electricity Generation and
Distribution Corporation,
Tambaram, Chennai. ..3rd Petitioner in 185/15

The Chief Engineer (Commercial)
Tamilnadu Electricity Board,
No.800 Anna Salai, Chennai. ..2nd Petitioner in WA.187,
188/15, 1142, 1150/14 & 2233/12

The Superintending Engineer,
Tamilnadu Electricity Board,
CEDC/SOUTH,
KK Nagar, Chennai. ..2nd Petitioner in WA.1084/14,
3rd Petitioner in WA.187/15

The Executive Engineer O&M
Tamilnadu Electricity Generation and
Distribution Corporation,
Chrompet, Chennai. ..4th Petitioner in WA.185/15

The Superintending Engineer,
Tamilnadu Electricity Board,
SEDC KK Nagar, Chennai. ..3rd Petitioner in WA.188/15

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Navaneethammal St.,
Dasarathapuram, Saligraman
Chennai. ..4th petitioner in WA.188/15

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Nanganallur, Chennai. ..3rd Petitioner in WA.1084/14

The Executive Engineer (O&M)
Tamilnadu Electricity Board,
Adyar, Chennai. ..3rd Petitioner in WA.1112/14

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Thoraibakkam, Chennai. ..4th Petitioner in Wa.1112/14

The Chairman and Managing
Director, TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai, Chennai. ..1st Petitioner in WA.1141/14

The Executive Engineer (O&M)
TANGEDCO No.110 KV SS.Complex,
Tidel Sub Station, Tidel Park,
Taramani, Chennai. ...3rd Petitioner in WA.1141/14

The Assistant Engineer, (O&M)
TANGEDCO Anandha Nagar,
Thoraibakkam, Chennai. ...4th Petitioner in WA.1141/14

The Superintending Engineer
CEDC/SOUTH Tamilnadu Electricity Board,
110 KV SS.Complex, KK Nagar,
Chennai-78. ...3rd Petitioner in WA.1142/14

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Saligramam, Chennai. ...4th Petitioner in WA.1142/14

The Assistant Executive Engineer, (O&M)
Tamilnadu Electricity Board,
K.K.Nagar, Chennai. ...3rd Petitioner in WA.1143/14

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
K.K.Nagar, Chennai. ...4th Petitioner in WA.1143/14

The Superintending Engineer
Tamilnadu Electricity Board CEDC/WEST
Anna Nagar, Chennai-78. ...3rd petitioner in WA.1150/14

The Executive Engineer, (O&M)
Tamilnadu Electricity Board,
Anna Nagar, Chennai. ...3rd Petitioner in WA.1144/14

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Mannurpet Chennai. ...4th Petitioner in WA.1144/14

The Superintending Engineer
Tamilnadu Electricity Board,
Nungambakkam,
Chennai-34 ...2nd Petitioner in WA.1145&67/14

The Assistant Engineer (O&M)
Tamilnadu Electricity Board,
Mahalingapuram, Chennai-34 ...3rd petitioner in WA.1145/14

The Superintending Engineer
Tamilnadu Electricity Board,
Thirumangalam, Chennai-34 ..2nd Petitioner in WA.1146/14

The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Nolambur, Mogappair West
Chennai. ...3rd Petitioner in WA.1146/14

The Executive Engineer, (O&M)
TANGEDCO Shanmugam Salai, Tambaram,
Chennai. ...3rd Petitioner in WA.1149/14

The Assistant Executive
Engineer (O&M) TANGEDCO Pallavaram,
Chennai-47. ...4th Petitioner in WA.1149/14

The Assistant Executive
Engineer (O&M)
Tamilnadu Electricity Board, Anna Nagar,
Chennai-47. ...4th Petitioner in WA.1150/14

The Superintending Engineer
Chennai Electrical Distribution Centre 800
Tamilnadu Electricity Board Complex,
Chennai-6. ...3rd Petitioner in WA.2233/12

The Assistant Engineer (TNEB)
Mogappair East Mogappair East,
Chennai-37. ...4th Petitioner in WA.2233/12

The Superintending Engineer
Tamilnadu Electricity Board CEDC/WEST
Thirumangalam Shopping Complex, Anna Nagar,
Chennai-40. ...2nd Petitioner in WA.2055/13

The Executive Engineer
(O&M) Tamilnadu Electricity Board,
Anna Nagar, Chennai-40 ...3rd Petitioner in WA.2052/13

The Assistant Executive
Engineer (O&M) Tamilnadu Electricity Board,
Poonamallee, Chennai-56. ...4th Petitioner in WA.2052/13

The Assistant / Divisional
Engineer, Tamilnadu Electricity Board,
Moolakadai, Chennai-118. ...2nd Petitioner in WA.2266/13

The Assistant Engineer
O&M, TNEB, Sakthivel Nagar, Kolathur,
Chennai-99 ...3rd Petitioner in WA.2266/13

The Superintending Engineer
Tamilnadu Electricity Board,
Nungambakkam, Chennai. ..2nd Petitioner in WA.67/14

The Assistant Engineer
O&M, Tamilnadu Electricity Board,
Mylapore, Chennai. ...3rd Petitioner in WA.67/14

The Chairman-cum-Managing
Director, Tamilnadu Generation and
Distribution Corpon, Ltd., (TANGEDCO)
NPKRR Maaligai, 144 Anna Salai,
Chennai-2 ..2nd Petitioner in WA.1282/14

The Director (Distribution)
Tamilnadu Generation and Distribution Corpon.,
Ltd., (TANGEDCO) NPKRR Maaligai,
144 Anna Salai, Chennai. ...3rd Petitioner in WA.1282/14

The Executive Engineer
South Chennai Tamilnadu Generation and
Distribution Corporation Ltd., (TANGEDCO)
NPKRR Maligai, 144 Anna Salai,
Chennai-2. ...4th Petitioner in WA.1282/14

The Assistant Executive Engineer (O&M)
Tamilnadu Electricity Board,
Kodambakkam, Chennai-24 ...3rd Petitioner in WA.1351/14

The Assistant Engineer (O&M)
Tamilnadu Electricity Board,
Vadapalani, Chennai-26. ...4th Petitioner in WA.1351/14

The Superintending Engineer
Tamilnadu Electricity Board,
No.110, KV.Sub Station,
Thirumangalam, Chennai. ...2nd petitioner in WA.1352/14

The Assistant Engineer
(O&M) Tamilnadu Electricity Board,
Kilpauk, Chennai-10. ...3rd Petitioner in WA.1352/14

The Assistant Engineer,
O&M TANGEDCO, Virugambakkam,
Chennai-87. ...Petitioner in WA.269/15

vs

S.N.Rajkumar
No.27, Kanchi Natarajan st.,
Vasudevan Nagar, Ashok Nagar,
Chennai-83. ...1st respondent in WA.6/15

The Chennai Metropolitan Developments
Authority, Rep by its Member Secretary
No.1, Gandhi Irwin Road, Egmore,
Chennai-8. ..2nd respondent in WA.6/15,
1084/14, 1112, 1141, 1145, 1143, 1144, 1149,
1150/14, 2233/12, 2052/13, 2266/13 and 1351/14

P.Rajesh
S/o.S.Parthasarathy at No.18/32, 28th Street,
Thillai Ganga Nagar, Nanganallur,
Chennai-61. ..1st Respondent in WA.185/15

R.Swathy
W/o.P.Rajesh Both are Residing at
No.18/32, 28th St., Thillai Ganga Nagar,
Nanganallur, Chennai. ..2nd Respondent in WA.185/15

The Member Secretary,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road, Egmore,
Chennai. ..3rd Respondent in WA.185/15 and 67/14

K.Sreenivasa Rao,
No.38, R.K.Shanmugam Salai, KK Nagar,
Chennai-78. ..1st Respondent in WA.187/15

K.Sreenivasa Rao,
Old No.65-C, New 38/C, R.K.Shanmugam Salai, KK Nagar,
Chennai-78. ..1st Respondent in WA.188/15

A.Iyapparaj
S/o.S.Ayyappan, No.4/1, Perumal Koil Street
West Mambalam, Chennai-33. ..1st Respondent in WA.1084/14

Bala Abirami Builders and Developers P Ltd.,
Rep by its Director
C.Sivalingam, at 10/33 Abirami Corporate Centre,
Besant Avenue, Adyar, Chennai-20. ..1st Respondent in WA.
1112/14

Chennai Metropolitan Development Authority,
Rep by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai. ..3rd Respondent in WA.1282/14

S.Dilip,
84, 1st Main Road, thilagar Avenue,
Madipakka, Chennai-91. ..1st Respondent in WA.1141/14

Rajendra R.Mehta
11, Somasundaram Street, T.Nagar,
Chennai-17. ..1st Respondent in WA.1142/14

M/s.Hariraj Homes
Rep. by its Partner Mr.Raghunathan
No.29B, Arch Bishop Mathews Avenue,
R.A.Puram, Chennai-28 ..1st Respondent in WA.1143/14

Tmt.V.Saraswathiammal,
Her Power Attorney Agent
N.Rajendran ..1st respondent in WA.1144/14

K.Sreenivasa Rao,
No.38C, .R.K.Shanmugam Salai,
K.K nagar, Chennai ..1st Respondent in WA.1145/14

M/s.Indira Foundations P Ltd.,
V.G.Rajendran M.D.Rep by His Poa.K.Kannan,
No.19, Govindan St., Aminjakarai,
Chennai-29 ..1st Respondent in WA.1146/14

Jain Housing and Construction Ltd.,
rep by its Vice President R.Vasudevan
Registered Office, No.82, Santhome High Road,
MRC nagar, Chennai-28.1st Respondent in WA.1149/14

M/s.A.P.Constructions India P Ltd.,
Rep by its P.S.Sivakumar,
No.145, Vallar St., 19th Main Road,
Anna nagar, Chennai-401st Respondent in WA.1150/14

M/s.Metal Impex rep by its
Managing Partner Mr.Kamalesh S.Jain
3 Ponnappa Lane, Off.Wall Tax Road,
Chennai-3.1st Respondent in WA.2233/12

T.S.Sumathy
No.55, 13th St., K-Block Anna nagar East,
Chennai-102.1st Respondents in WA.2052/13

Swetha ..2nd Respondent in WA.2052/13

S.Krishna
2 & 3 rep. by their Natural Guardian J
Sampath ..3rd Respondent in WA.2052/13

B.Govindaraj
S/o.Balaraman No.3, Vikkaram St.,
Purasaiwakkam, Chennai-10.1st Respondent in WA.2266/13

S.Kalpana1st respondent in WA.67/14

S.Sangeetha ..2nd Respondent in WA.67/14

Redfort Shahjahan
Properties Pvt.Ltd., rep by its Power of
Attorney K.G.Foundation P Ltd.,
No.93B, Mittal Court, Nariman Point
Mumbai-400021. ...1st Respondent in WA.1282/14

The Tamilnadu Electricity Regulatory
Commission Rep by its Secretary
No.19A, Rukmani Lakshmipathi Road,
Egmore, Chennai-8. ...2nd Respondent in WA.1282/14

Chennai Metropolitan Development Authority
Rep by its Member Secretary,
No.1 Gandhi Irwin Road, Egmore,
Chennai. ...3rd Respondent in WA.1282/14

Tmt.J.Durgpriya
No.13/5 Duraiarasan St.,
Saligramam, Chennai-93. ...1st Respondent in WA.1351/14

V.K.Ramamurthy
No.18, Ramanathan St.,
Kilpauk, Chennai-10. ...1st Respondent in WA.1352/14

B.Mohamed siddiq Basha
S/o.Mr.Basha No.22/96, Gandhi Nagar Main Road,
Virugambakkam, Chennai. ...Respondent in WA.269/15

These Writ Appeals are filed u/c 15 of Letters Patent
against the order dt.17.7.2014, 17.12.14, 02.7.14, 4.7.14,
24.6.14, 17.7.14, 11.7.14, 30.6.14, 18.4.11, 19.8.13, 29.8.13,
04.3.13 and 08.7.14 made in WPs.17531/14, 15810/14, 27453/14,
27454/14, 10903/14, 15561/14, 4634/14, 4386/14, 8169/14,
9700/14, 10902/14, 11967/14, 13999/14, 14618/14, 5448/11,
20551/13, 24081/13, 4036/13, 15763/14, 9080/14, 11966/14 and
3502/14 respectively.

(i)WP.No.17531/14: These Writ Petitions are filed u/a.226 of the
Constitution of India for a writ of mandamus, to direct the
respondents 1 to 4 herein to receive and consider the
application of the petitioner and to provide electricity service
connection to the building and departmental store and for the
common areas of the building put up the petitioner at Plot No.4
(pt) 5(pt) V comprised in Survey No.49/4A1B 49/4A1C 49/4A1D
Valluvar Salai Ramapuram Chennai 89 without insisting upon
completion certificate/No objection certificate from the 5th
respondent.

(ii)WP.No.15810/14: To Directing the respondents 1 to 4 herein
to receive process and consider the application of the
petitioner and provide Electricity Service Connection to the
building put up by the petitioners in Plot No.111 Shanthi Nagar

Chrompet and comprised in Old Survey No.453 Patta Survey No.453/2A1A1B without insisting upon Completion Certificate / No Objection Certificate from the 5th Respondent.

(iii)WP.No.27453/14: Directing the 1st to 4th respondents to receive the application process and effect electricity service connection to petitioner residential building at No.52 Shanmugam Salai K.K.Nagar Chennai-78 without insisting completion certificate from the 5th respondent.

(iv)WP.No.27454/14: To directing the 1st to 4th respondents to receive the application process and effect electricity service connection to petitioners residential building at Plot No.32 Old Door No.9 New Door No.28 Annamalai Colony Virugambakkam Chennai-92 without insisting completion certificate from the 5th respondent.

(v)WP.No.10903/14: To directing the 1st to 3rd respondents to receive the application process and effect electricity service connection to the petitioner residential building at Plot No.14 Old Division No.6 New Division No.15 in Veeraraghavan Street Nanaganallur Chennai-61 without insisting completion certificate from the 4th respondent.

(vi)WP.No.15561/14: To directing the respondents 1 to 4 to receive process consider and accord Electricity Connection to the building and common area of the building put by the petitioner comprised in Plot NO.III and IV Anandhan Nagar (CMDA Approved PPD/LO No. 63/87) comprised in Survey No.104/2A as per patta Survey No.104/206 and 104/207 of Okkiyam Duraipakkam Village in accordance with law and more particularly without insisting on production of completion Certificate/No objection Certificate from the 5th respondent.

(vii)WP.No.4634/14: To direct the respondents 1 to 4 herein to receive and consider the application of the petitioner and to provide electricity service connection to the building and for the common areas of the building put up by the petitioner at 119/1C 122/1 122/2 and 125/1 and as per patta S. No.119/1C 122/5 122/6 and 125/1 of Okkiyam Thoraipakkam Village Chennai bearing Plot Nos. 53 54 55 56 60 61 62 and 63 of Balamurugan Nagar Chennai 97 without insisting upon completion certificate/No objection certificate from the 5th respondent.

(viii)WP.No.4386/14: To directing the Respondents 1 to 4 herein to receive and consider the application of the petitioner and to provide electricity service connection to the building and for the common areas of the building put up by the petitioner at T.S.NO.80/1 to 12 113/2 3 & 4 Block No.38 of Arunachalam Road Saligramam Chennai 93 without insisting upon completion certificate / No objection certificate from the 5th Respondent.

(ix)WP.No.8169/14: To directing the respondents 1 to 4 herein to receive consider the application of the petitioner and to provide electricity service connection to the building and for the common areas of the building put up by the petitioner at Plot No.C-683 Door No.12 65th Street Ashok Nagar Chennai-83 comprised in T.S. No.39 Block No.72 of Kodambakkam Village without insisting upon production of Completion Certificate/ No Objection Certificate from the 5th respondent.

(x)WP.No.9700/14: To directing the Respondents 1 to 4 to receive the application of the petitioner process consider and accord Electricity Service connection for the building and common areas of the premises at Ward No. H Block No. 3 Door No. 224 M.T.H. Road Mannurpet Chennai comprised in Survey No.101 T.S.No/. 208 of Mugappair Village Ambattur Taluk Tiruvallur District in accordance with law and more particularly without insisting on production of completion Certificate / No objection Certificate from the 5th Respondent.

(xi)WP.No.10902/14: To directing the 1st to 3rd respondents to receive the application process and effect electricity service connection to the petitioner residential building at Plot No.71 Old Division No.5 New Division No.9 Ramanathan Street Mahalingapuram Chennai-34 without insisting completion certificate from the 4th respondent.

(xii)WP.11967/14: TO direct the 1st to 3rd Respondents to receive the petitioner's application, process and effect electricity service connection to the petitioner residential building at Survey No.303/2A3A of Nolambur Village Raja Garden Andal Ammal Street Chennai without insisting completion certificate from the 4th Respondent.

(xiii)WP.13999/14: To directing the respondents 1 to 4 herein to receive the application of the petitioner for considering and providing electricity service connection to the building put up at survey No.308/2 T.S.No.11/1 A Block No.25 Ward B of Zamin Pallavaram Village Pallavaram Dharga Road Chennai without insisting upon the completion certificate from the 5th respondent.

(xiv)WP.No.14618/14: To directing the respondents 1 to 4 herein to receive and consider the application of the petitioner and to provide electricity service connection to the building and for the common areas of the building put up by the petitioner at Old S.No.442(Part) T.S.No.28/2 Ward H Block No.31 Anna Nagar West Mogappair Village Chennai 40 without insisting upon completion certificate/No objection certificate from the 5th respondent.

(xv)WP.5448/11: To directing the respondents to grant electricity Service Connection to all the residential building of the petitioner situated at Plot Nos.5 and 6 (Kamadhenu Chambers Layout) Kamadhenu Chamber Mohappair East Chennai - 600 037.

(xvi)WP.20551/2013: To directing the respondents 1 to 4 herein to receive the application of the petitioners consider process and provide electricity service connection to the petitioners building and the common areas of the building put up at Plot No.27 Raja Nagar Poonamallee Village Thiruvallur District comprised in Survey Nos.492/1 and 492/A situate within the Registration District of Chennai South and Sub-Registration District of Poonamallee without insisting upon Completion Certificate on from the 5th respondent herein.

(xvii)WP.No.24081/2013: To Directing the respondent 1 to 3 to receive the application of the petitioner consider and provide Electricity Connection for the constructions put up by the petitioner at survey No.1419/1C 1419/6 1419/7 of Jawaharlal Nehru Road Madavaram Village Chennai and common areas of the building put up at aforesaid address without insisting upon Completion Certificate/ No Objection Certificate from the 4th respondent.

(xviii)WP.4036/13: To directing the 1st to 3rd respondents to receive the application process and effect electricity service connection to petitioners office building at Block No.34 Plot No.15 Door No. 68/30 Luz Church Road Mylapore Chennai 4 without insisting completion certificate from the 4th respondent.

(xix)WP.15763/14: To call the records pertaining to notification No. TNERC/DC/8-9 dated 22.5.2008 on the file of the 5th respondent and quash the same and consequently directing respondent 1 to 4 to provide electricity service connection to block C & D comprised in S.F.No.4 5 6 7 in Village No.63 Adayalampattu Village Ambattur Taluk Tiruvallur District Chennai without insisting upon completion certificate from the 6th respondent.

(xx)WP.9080/14: To directing the respondents 1 to 4 to receive the application of the petitioner process consider and accord Electricity Service Connection for the building and common areas of the premises at Plot No.52 Old No.9 New Door No.20 Senthil Andavar St Dhanalakshmi Colony vadapalani Chennai 26 comprised in Old Survey No.27 part T.S.No.62 Block.No.24 of Saligramam village in accordance with law and more particularly without insisting on production of completion certificate/no objection certificate from the 5th respondent.

(xxi)WP.11966/14: To directing the 1st to 3rd Respondents to receive the petitioner application process and effect electricity service connection to the petitioner residential building at Survey No.91/114 Block No.9 Egmore Village No.18 Ramanathan Street Kilpauk Chennai-10 without insisting completion certificate from the 4th Respondent.

(xxii)WP.3502/14: To call for the records pertaining to the file in Ref. No. Ka. No.U. Po/E Pa/Vpakam/ So. Kattu/A. No.92/dt 26.12.2013 passed by the respondent and quash the same as the same illegal non sustainable in law and consequently direct the respondent to give electricity connections based on the payment slips dt 26.12.2013.

For Petitioners: Mr.S.K.Rameshwar for WA.No.6, 185, 187, 188, 1084, 1112, 1149/14, 2052/13, 1351/14 and WA.269/15

Mr.P.R.Dhilipkumar for WA.1144 to 1146/14, 1150/14, 2233/12, 2266/13, 67, 1282 and 1352/14

For Respondents: Mr.N.A.Nissar Ahmed for R1 in WA.6/15
Mr.N.Sampath for R2 in WA.6/15
Mr.Rajasrinivas for R2 in WA.187/15, 188/15, 2233/12 and R3 in WP.67/14, 185/15
Mr.M.Vembadiyan for R1 in WA.187, 188/15, 1084/14, 1143, 1145/14
Mr.R.Mohan for R1 in WA.1112, 1141, 1142, 1149 and 1150/14

Mr.C.Johnson for R2 in WA.1141 to 1146/14, 1149, 1150, 11352/14 and R3 in WA.1282/14

Mr.DS.Rajasekaran for R1 in WA.1144/14 and 2266/13

Mr.Dr.Vasudevan for Rq1 in WA.1282/14

M/s.Dass Law Associates

T.Arokiadoss for Respondent in WA.269/15

Mr.A.Shaik Preeth for R2 in WA.1266/13

COMMON JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the respective parties.

2. It appears that the Tamil Nadu Electricity Board is before this court challenging the order of the learned Single

Judge. Para 9 of the order the learned Single Judge has observed thus:-

"... this court directs the respondents 1 to 4 to receive the application of the petitioner, process, consider and accord electricity service connection to the building and departmental store and for the common areas of the building put up by the petitioner at without insisting on production of completion certificate/no objection certificate from the fifth respondent/CMDA. However, it is open to the fifth respondent/CMDA to take action against the petitioner, if there is any violations or deviation in the construction put up by the petitioner."

3. The very order itself indicates that while providing electricity connection, the CMDA has to take action against the violations or deviation, if any. In the judgment of this court rendered in S.PRAKASH CHAND JAIN v. STATE OF TAMIL NADU ((2014) 2 MLJ 151) it is held as under:-

" 27. We have put a question to the learned counsel for CMDA as to how the developer got electricity, water and sewerage connection without obtaining completion certificate from CMDA. The learned Standing Counsel submitted that the builders have now invented a novel device by filing writ petition directing the authorities to provide electricity, water and sewerage connection without insisting completion certificate from CMDA.

28. Regulation No.4(5) of Development Regulations approved by the Government of Tamil Nadu in G.O.Ms.190, Housing and Urban Development Department dated 2 September 2008 read thus:

"Completion Certificate:

(a) The Applicant/owner/Builder/Promoter/Power of Attorney Holder and any other person who is acquiring interest shall not put the building to use without obtaining Completion Certificate from CMDA for 'Special buildings', Group Developments, Multi-storied Buildings, and Institutional buildings (exceeding 300 M2 in floor area) and such other developments as may be notified by the Chennai Metropolitan Development Authority from time to time.

(b) The Applicant/Owner/Builder/Promoter/Power of Attorney Holder and any other person who is acquiring interest shall submit application in complete shape for issue of Completion Certificate before probable date of completion, and CMDA/Local Body concerned, which had issued PP, shall dispose of such application."

....

32. We, therefore, by following Consumer Action Group, hold that writ petition for issuance of a Writ of Mandamus to direct TANGEDCO and TNWSS Board to provide electricity, water and sewerage connection and the Corporation/local body to assess the building and to provide door number, without insisting Completion Certificate from CMDA is not maintainable."

4. Therefore, in modification of the order of the learned Single Judge, we dispose of the writ appeals making it clear that the appellants Electricity Board can insist for completion certificate from CMDA before extending the electricity connection. The writ appeals are partly allowed in terms of the above order of the Division Bench of this court. However, it is made clear that even after completion certificate being produced before the Electricity Board, the Board shall not delay in extending the electricity connection and it shall take all possible steps to extend the electricity connection the moment the completion certificate is issued, without any further delay. No costs. The connected pending miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To:

1. The Member-Secretary
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road
Egmore Chennai 600 008
- 2 The Superintending Engineer (TANGEDCO)
CEDC/South J.J.Maligai K.K.Nagar
Sub Station K.K.Nagar
Chennai 600 078

- 3 The Executive Engineer (O&M)
TANGEDCO K.K.Nagar
Chennai 600 078
- 4 The Assistant Executive Engineer (O&M)
TANGEDCO Ramapuram
Chennai 600 089
- 5 The Chief Engineer (Commercial)
Tamilnadu Electricity Board No.800
Anna Salai, Chennai.
- 6 The Superintending Engineer, Tamilnadu Electricity
Engineer,
CEDC/South J.J.Maligai K.K.Nagar
K.K.Nagar
Chennai 600 078
- 7 The Assistant Engineer
(Operation & Maintenance)
Tamilnadu Electricity Board,
KK Nagar, Chennai.
- 8 The Superintending Engineer
Tamilnadu Electricity Generation and
Distribution Corporation,
CEDC/SOUTH, 110 KVSS Complex,
KK Nagar, Chennai.
- 9 The Assistant Engineer (O&M)
TANGEDCO, Chrompet, Chennai-44.
- 10 The Assistant Executive Engineer O&M
Tamilnadu Electricity Board,
Nanganallur, Chennai-34.
- 11 The Executive Engineer O&M
Tamilnadu Electricity Board,
Adyar, Chennai-20/
- 12 The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Toraibakkam, Chennai.
- 13 The Chairman and Managing
Director, TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai, Chennai.
- 14 The Executive Engineer (O&M)
TANGEDCO No.110 KV SS.Complex,
Tidel Sub Station, Tidel Park,
Taramani, Chennai.

- 15 The Assistant Engineer, (O&M)
TANGEDCO Anandha Nagar,
Thoraibakkam, Chennai.
- 16 The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Saligramam, Chennai.
- 17 The Superintending Engineer
Tamilnadu Electricity Board CEDC/WEST
Anna Nagar, Chennai-78.
- 18 The Executive Engineer, (O&M)
Tamilnadu Electricity Board,
Anna Nagar, Chennai.
- 19 The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Mannurpet Chennai.
- 20 The Superintending Engineer
Tamilnadu Electricity Board,
Nungambakkam,
Chennai-34
- 21 The Assistant Executive Engineer (O&M)
Tamilnadu Electricity Board,
Kodambakkam, Chennai-24
- 22 The Assistant Engineer (O&M)
Tamilnadu Electricity Board,
Vadapalani, Chennai-26.
- 23 The Superintending Engineer
Tamilnadu Electricity Board,
No.110, KV.Sub Station,
Thirumangalam, Chennai.
- 24 The Assistant Engineer
(O&M) Tamilnadu Electricity Board,
Kilpauk, Chennai-10.
- 25 The Assistant Engineer,
O&M TANGEDCO, Virugambakkam,
Chennai-87.
- 26 The Member Secretary,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road, Egmore, Chennai-8.
- 27 The Assistant Engineer (O&M)
Tamilnadu Electricity Board,
Mahalingapuram, Chennai-34

- 28 The Superintending Engineer
Tamilnadu Electricity Board,
Thirumangalam, Chennai-34
- 29 The Assistant Engineer, (O&M)
Tamilnadu Electricity Board,
Nolambur, Mogappair West
Chennai.
- 30 The Executive Engineer, (O&M)
TANGEDCO Shanmugam Salai, Tambaram,
Chennai.
- 31 The Assistant Executive
Engineer (O&M) TANGEDCO Pallavaram,
Chennai-47.
- 32 The Chief Engineer (Commercial)
Tamil nadu Electricity Board,
CEDC/WEST JJ Complex, Anna Nagar, Chennai-40.
- 33 The Assistant Executive
Engineer (O&M)
Tamilnadu Electricity Board, Mogappair East,
Chennai-47.
- 34 The Superintending Engineer
Chennai Electrical Distribution Centre 800
Tamilnadu Electricity Board Complex,
Chennai-6.
- 35 The Superintending Engineer
Tamilnadu Electricity Board CEDC/WEST
Thirumangalam Shopping Complex, Anna Nagar,
Chennai-40.
- 36 The Assistant Executive
Engineer (O&M) Tamilnadu Electricity Board,
Poonamallee, Chennai-56.
- 37 The Assistant / Divisional
Engineer, Tamilnadu Electricity Board,
Moolakadai, Chennai-118.
- 38 The Assistant Engineer
O&M, TNEB, Sakthivel Nagar, Kolathur,
Chennai-99
- 39 The Executive-Engineer,
South Chennai TANGEDCO)
NPKRR Maaligai, 144 Anna Salai,
Chennai-2

+3 cc's to Mr.V.Dinesh Raja, advocate, sr.39038 to 39040

+3 cc's to Mr.C.Johnson, advocate, sr.38907 to 38909

+1 cc to mr.K.Raja Shrinivas, advocate, sr.38968

+1 cc to M/s.Dass Law Asso, advocate, sr.39389

+1 cc to Mr.M.Vembadiyan, advocate, sr.39041

+1 cc to mr.N.A.Nissa Ahmed, advocate, sr.38854

+5 cc's to Mr.P.R.Dhilipkumar, adovcat, sr.38702

+5 cc's to Mr.R.Mohan, advocate, sr.38864 to 38866

+5 cc's to Mr.S.K.Rameshwar, advocate, sr.38703

+1 cc to Mr.N.Sampathkumar, advocate, sr.38804.

+1 cc to Mr.V.Dinesh Raja, advocate, sr.39037 (29/9)

scd(co)
krd 29/8

W.A.No.6 of 2015 & batch



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