

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.31268 of 2014 &

A.Balasubramanian

..PETITIONER

Vs

- 1 The Superintending Engineer
Tamilnadu Electricity Board
Chennai Electricity Distribution Circle (Central)
Valluvar Kottam High Road
Nungambakkam, Chennai 34.
- 2 The Asst. Executive Engineer
O & M Usman Road
CEDC Central, Tamilnadu Electricity Board
Chennai 600 017.
- 3 V.R.Venkatachalam

..RESPONDENTS

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent and second respondent to give domestic electricity service connection to the petitioner premises bearing Door No.71 Raja Pillai Thottam, T.Nagar, Chennai 17.

For Petitioner .. Mrs.S.Sridevi

For Respondents .. Mr.P.R.Dhilpkumar - R1 & R2
Standing Counsel

No appearance - R3

O R D E R

With the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mrs.S.Sridevi, learned Counsel appearing for the petitioner and Mr.P.R.Dhilpkumar, learned Standing Counsel appearing for the respondents 1 & 2.

3.The petitioner admittedly is an encroacher of the area, which according to him has been declared as a 'Slum' by the Slum Clearance Board as per their proceedings No.12441/93 dated 09.06.1993. Therefore, the petitioner is entitled for electricity supply without insisting on any 'no objection certificate'. In this regard, the petitioner relies upon the earlier direction issued by this Court in W.P.Nos.14089 to 14093 of 2011.

4.In my view, if the area has been declared as 'Slum' then the Slum Clearance Board alone have the control over the area. Therefore, whatever has to be done, is to be done through the proceedings issued by the Slum Clearance Board and as on date the petitioner has not been granted patta.

5.Therefore, the petitioner is directed to submit a representation in writing along with the copy of this order to the competent authority of the Slum Clearance Board for grant of necessary certificate to show that he is in possession of the premises in the 'Slum' area. On receipt of the said representation, the Slum Clearance Board, is directed to comply with the said request made by the petitioner, within a period of three weeks from the date of receipt of the representation. Thereafter, the petitioner would be entitled to approach the second respondent for grant of electricity supply.

[Since the Slum Clearance Board is not a party respondent, Registry is directed to mark a copy of this order to the Tamil Nadu Slum Clearance Board, Chepauk, Chennai].

The Writ Petition is disposed of accordingly. No costs.

sd/-

Assistant Registrar(Cs-VI)

/TRUE COPY/

Sub-Assistant Registrar

rpa

To

- 1 The Superintending Engineer
Tamilnadu Electricity Board
Chennai Electricity Distribution Circle (Central)
Valluvar Kottam High Road
Nungambakkam, Chennai 34.

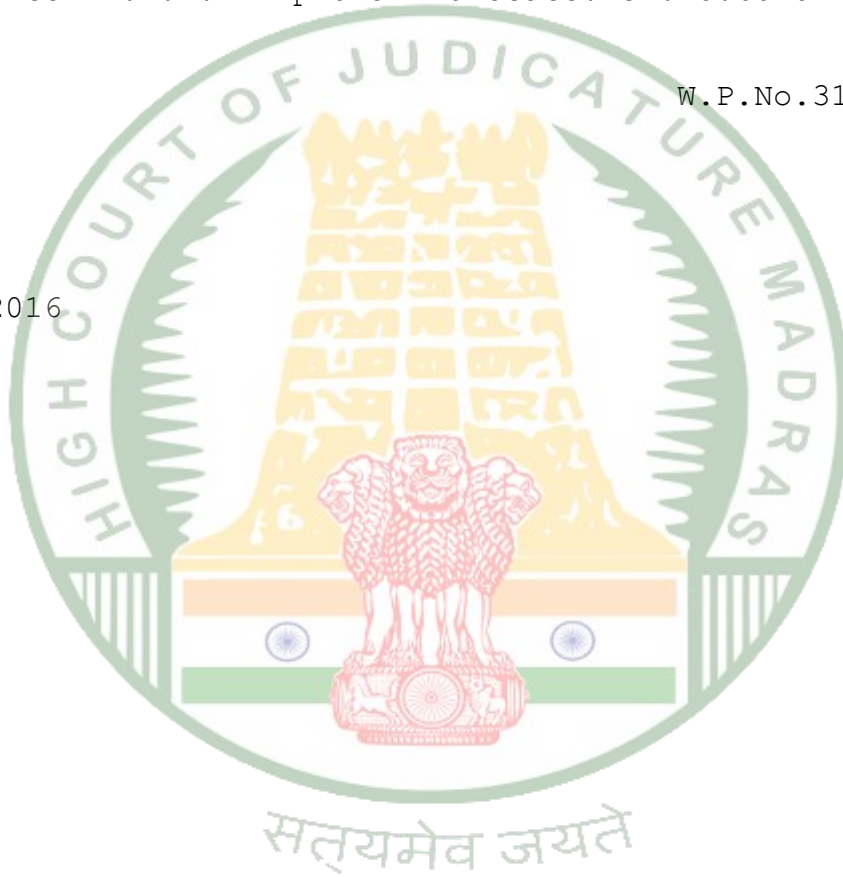
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- 2 The Asst. Executive Engineer
O & M Usman Road
CEDC Central, Tamilnadu Electricity Board
Chennai 600 017.
3. TamilNadu Slum Clearance Board,
Chepauk, Chennai.

+1 CC to MR.S.Sridevi Advocate. SR.NO.6868
+1 CC to MR.P.R.Dhilpkumar Advocate. SR.NO.6848

W.P.No.31268 of 2014

CO-VD
JD 12/02/2016



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