

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No. 28758 of 2015

Mrs.S. Chandra

..Petitioner

Vs.

1. The Assistant Executive Engineer,
E/B/Perambur Sub Division,
33/11, K.V. Sub Station,
TANGEDCO,
Periyar Nagar, Chennai - 600 082.

2. The Chairman cum Managing Director,
Electricity Board,
Anna Salai,
Chennai - 600 002.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 22.06.2015 pending on the file of the 1st respondent in accordance with law.

For Petitioner :: Mr.A. Kavimani

For Respondents :: Mr.P.R. Dilipkumar

ORDER

This writ petition is filed for issue of a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 22.06.2015, pending on the file of the 1st respondent, in accordance with law.

2. The petitioner is the owner of the house situated at No. 18/79, Rajamangalam, 7th Street, Villivakkam, Chennai - 600049. He sought electricity connection to his house and the same has not been given till date. Therefore, the petitioner gave a representation in this regard on 22.06.2015 to the 1st respondent. However, there was no response. Hence, the petitioner has come before this Court by way of this writ petition.

3. Heard Mr.A. Kavimani, learned counsel for the petitioner and Mr.P.R. Dilipkumar, learned counsel for the respondents.

4. A counter affidavit has been filed by the respondents wherein, at paragraph No. 4, it is stated that on receipt of petitioner's representation, when the process of providing domestic service connection to the petitioner's house at No.18/79, 7th Street, Rajamangalam, Villivakkam, Chennai - 49, was in process, an objection letter was received from two persons, namely, Mr. Santhanam and Mr. Narayanan stating that the above said address is 27/27, 7th street, and that the petitioner is misleading the Board to

get illegal service connection in her name and further that, they have applied for service connection to Door No. 27/27, 7th Street, Rajamangalam, Chennai, in the same premises.

5. Though it is contended by the respondents that the above said two persons, namely, Santhanam and Narayanan had objected to providing domestic service connection to the petitioner, it is seen from the very same counter affidavit, at paragraph No.4, that the objection raised by them was only in respect of house bearing Door No. 27/27, 7th Street, Rajamangalam, Villivakkam, Chennai, whereas the petitioner is residing at No. 18/79, 7th Street, Rajamangalam, Villivakkam, Chennai. Further, the petitioner possesses ration card issued by the Supplies and Consumer Protection Department as early as on 2005-2009 onwards wherein the petitioner's address has been given, as stated above. The said fact is fortified by water and sewage tax receipts issued by the authorities concerned and Aadhar card issued by the Government of India in respect of the petitioner. When such governmental documents are available to show that the petitioner is residing in the said address, based on some third party's objection, that too, with regard to some other property, the petitioner cannot be denied electricity connection.

N. KIRUBAKARAN,J

6. Therefore, the 1st respondent is directed to give domestic service connection to the petitioner's residence on or before 4th July, 2016 and report before this Court. The writ petition is disposed of accordingly. No costs.

7. Post on 5th July, 2016 for reporting compliance.

8. In the event of failure on the part of the 1st respondent to provide electricity connection to the petitioner's residence, he shall appear before this Court on 05.07.2016.

20.06.2016

nv

To

1. The Assistant Executive Engineer,
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33/11, K.V. Sub Station,
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