

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.28040 of 2016

S.Sasikala

...

Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
166 Anna Salai,
Chennai - 600 002.

2.Deputy Executive Engineer,
Tamil Nadu Electricity Board,
Injambakkam,
Chennai - 600 097.

3.The Corporation of Chennai,
Rep. by its Commissioner,
Chennai.
[R-3 suo moto impleaded as per order
of this court dated 11.08.2016)
Respondents

...

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 2nd respondent to provide the petitioner's household with the required electricity connection situated at No.2/1851, Kasthuri Bai Nagar, Thoraipakkam, Chennai - 600 097.

For Petitioner : Mr.C.Ganesh

For R1 & R2 : Mr.S.K.Raameshuwar

For R3 : Mr.P.V.Selvakumar

ORDER

The writ petition is filed for issuance of writ of mandamus directing the 2nd respondent to provide the petitioner's household with the required electricity connection situated at No.2/1851, Kasthuri Bai Nagar, Thoraipakkam, Chennai - 600 097.

2. This petition was dismissed by this Court on 02.11.2016 as not maintainable with an observation that since the petitioner is in occupation of the poromboke land, she does not have any right even to occupy the property.

3. At request of the learned counsel for the petitioner, today the matter is taken up for hearing since the order passed by this Court on 02.11.2016 needs to be recalled. Hence, the order of this Court dated 02.11.2016 is recalled and the following order is passed.

4. Since Rule 27 (12) of the Tamil Nadu Electricity Distribution Code speaks about providing electricity service connection only on production of NOC from the concerned authority in case if the individual is in occupation of the

poramboke land, it is open to the petitioner to get NOC from the concerned authority and approach the Electricity Board for providing electricity service connection. On production of such NOC by the petitioner, the respondent is at liberty to decide the matter, in accordance with law.

5. With the above direction, this writ petition is disposed of. No costs.

04.11.2016

rgr
Index : Yes/No

To

1.The Chairman,
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Chennai - 600 002.

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Tamil Nadu Electricity Board,
Injambakkam,
Chennai - 600 097.

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Chennai.

N.KIRUBAKARAN, J.

rgr

W.P. No.28040 of 2016

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CORAM:

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W.P. No.28040 of 2016

S.Sasikala

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Petitioner

Vs.

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For Petitioner : Mr.C.Ganesh

For R1 & R2 : Mr.S.K.Raameshuwar

For R3 : Mr.P.V.Selvakumar

ORDER

The petitioner has sought for electricity service connection in respect of the property situated at Door No.2/1851, Kasthuri Bai Nagar, Vettuvaankeni, Thuraipakkam, Chennai - 600 097.

2. It is represented by the respondent/Electricity Board that the property is a poromboke land. In similar circumstances, the First Bench of this Court in *V.Kesavan v. The Chairman, The Tamil Nadu Electricity Board, Chennai - 2 and others [W.P.No.19025 of 2016 dated 15.09.2016]* had negated the claim of the petitioner therein.

3. Since the petitioner is in occupation of the poromboke land, she does not have any right even to occupy the property. Therefore, this Writ Petition is not maintainable and accordingly, the same is dismissed. No costs.

02.11.2016

Index : Yes/No
jvm/rgr

N.KIRUBAKARAN, J.

jvm/rgr

1.The Chairman,
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