

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.A.No.495 of 2016

N.Kannan

.. Appellant

-vs-

1. The Chairman
Tamil Nadu Electricity Board
New No.144, Anna Salai
Chennai 600 002
2. The Superintendent Engineer
Tamil Nadu Electricity Board - Chennai South
Anna Main Road, K.K.Nagar
Chennai 600 078
3. The Assistant Engineer
Tamil Nadu Electricity Board - Ayyappanthangal
Ayyappanthangal Section
Sri Ramachandra Nagar
Chennai 600 116

4. Mr.T.Raman

.. Respondents

Appeal under Clause 15 of the Letters Patent, against the order dated 28.03.2016 made in W.P.No.11387 of 2016.

W.P.No.11387 of 2016: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to provide new electricity service connection to the shop at Premises bearing No.2/19, Kattupakkam Main Road (Mount Poonamalle Road), Kattupakkam, Chennai-600 056 in the name of the petitioner collecting necessary deposits and charges without insisting for the production of Owners Consent Letter from the 4th respondent.

For Appellant :: Mr.R.Venkatavarathan

For Respondents :: Mr.S.K.Rameshuwar for R1 to R3
Mr.B.Manoharan for R4

JUDGMENT

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

Heard the learned counsel for the appellant/writ petitioner, learned standing counsel representing the respondents 1 to 3/Electricity Board and the learned counsel representing the respondent No.4/landlord.

2. Alleging disconnection of the electricity service connection to the tenanted premises, namely, the shop in the ground floor bearing Door No.2/19, Kattupakkam Main Road, (Mount Poonamallee Road), Kattupakkam, Chennai-56, the appellant, who is the brother of the tenant, is before this Court.

3. Today the learned counsel representing the fourth respondent/landlord has filed a memo of calculation and it is for the appellant or his brother, who has entered into a contract with the fourth respondent/landlord, to make good the rental arrears with an enhanced rate of 5% every year to the fourth respondent/landlord. Subject to the payment of the rental arrears as on today with interest by the appellant to the fourth respondent/landlord, after deducting the amount, if any, paid already, within a period of ten days from the date of receipt of a copy of this order, the fourth respondent shall issue the no objection certificate to the appellant and also to the respondent-Electricity Board and on receipt of such no objection certificate from the fourth respondent/landlord, the respondents 1 to 3 are directed to restore the electricity service connection to the premises in question forthwith on payment of the penalty/electricity charges, if any, by the appellant or his brother. However, so far as the eviction process is concerned, this order will not come in the way of taking over possession in accordance with law by the landlord. The writ appeal is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

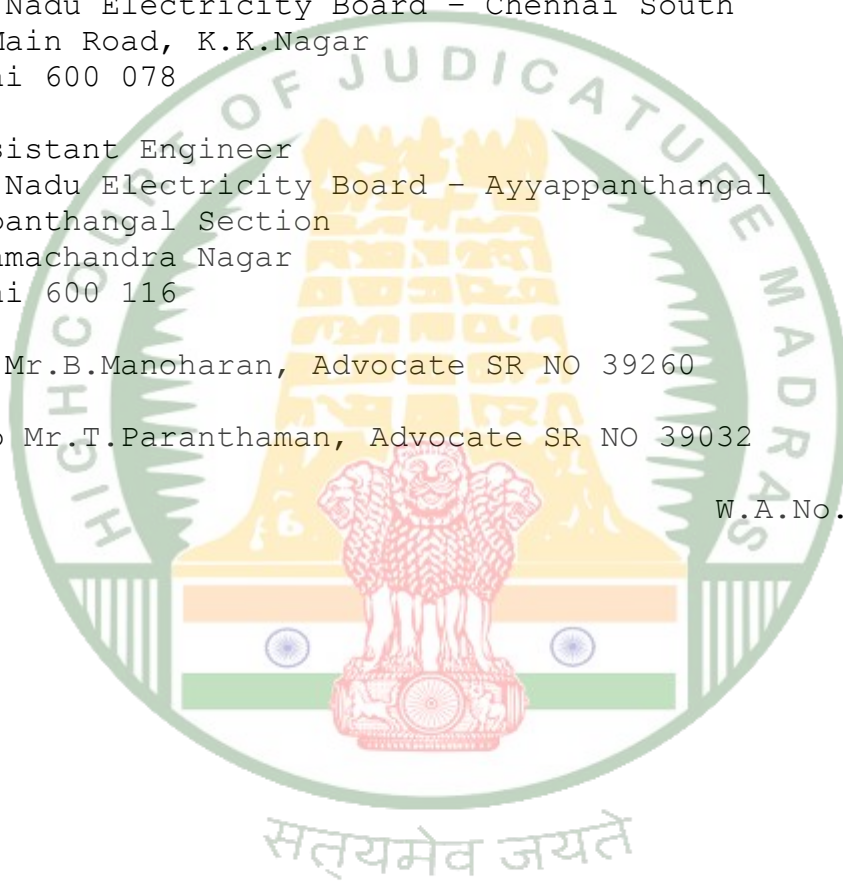
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To

1. The Chairman
Tamil Nadu Electricity Board
New No.144, Anna Salai
Chennai 600 002
 2. The Superintending Engineer
Tamil Nadu Electricity Board - Chennai South
Anna Main Road, K.K.Nagar
Chennai 600 078
 3. The Assistant Engineer
Tamil Nadu Electricity Board - Ayyappanthangal
Ayyappanthangal Section
Sri Ramachandra Nagar
Chennai 600 116
- + 1 CC to Mr.B.Manoharan, Advocate SR NO 39260
- + 2 CCs to Mr.T.Paranthaman, Advocate SR NO 39032

W.A.No.495 of 2016

VS[CO]
GP/22.7.



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