

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W. P. NO. 37099 OF 2016

&

W.M.P.Nos.31891 & 32300 of 2016

Nizar Ahmed

... Petitioner

Vs

1.The Chairman (TNEB),
Tamil Nadu Electricity Board,
NPKRR Maligai, No.144, Annasalai,
Chennai-600 002.

2.The Superintending Engineer,
TANGEDCO/CEDC/Central (TNEB),
Valluvar Kottam, Nungambakkam,
Chennai-600 034.

3.The Assistant Engineer,
TANGEDCO/CEDC/Central (TNEB),
No.26, West Colt Road,
Royapettah, Chennai-600 014.

4.D.Vani

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus direct the respondents 1 and 2 to restore the power supply (vide service connection No.AE/O&M/ICE HOUS-122-016-463) to the petitioner's premises bearing Door No.20, Dr.Natesan Road, First Floor, Triplicane, Chennai-600 005.

For Petitioner : Mr.J.Kannan

For Respondents : Mr.P.R.Dhilipkumar for R1 to R3
Mr.P.Suresh for R4

O R D E R

Mr.Nisar Ahmed, who has been inducted as a tenant under the fourth respondent in respect of 1st floor of the premises bearing Door No.20, Dr.Natesan Road, Triplicane, Chennai-600 005 for residential purpose, has approached this Court under Article

226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 and 2 to restore the power supply, vide service connection No.AE/O&M/ICE HOUS-122-016-463, to the petitioner's premises bearing Door No.20, Dr.Natesan Road, First Floor, Triplicane, Chennai-600 005.

2. When the matter is taken up today, after taking instructions, the learned Standing Counsel appearing for the Electricity Board, placing on record a report dated 25.10.2016, submitted that the prayer sought for in the writ petition has become infructuous, since the Electricity Board has restored the service connection to the petitioner's premises bearing Door No.20, Dr.Natesan Road, First Floor, Triplicane, Chennai-600 005. However, learned counsel for the petitioner would submit that although service connection has been restored, the petitioner who is staying in the first floor was not able to get the electricity supply. Therefore, he prays for a direction to be issued to both the landlord and Electricity Board to ensure the first floor is also getting electricity connection.

3. But this Court is not able to find any merit on his request, for the reason that when the service connection is in the name of landlady/fourth respondent herein, after the disconnection was made on 07.09.2016, on payment of the extra levy with regard to theft of electricity in the above service connection, the connection has been restored. When the service connection is restored, this Court is not inclined to entertain the writ petition and accordingly, this writ petition is dismissed as infructuous and it is open to the petitioner to work out his remedy before the appropriate forum. Consequently, connected miscellaneous petitions are dismissed. No costs.

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Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Chairman (TNEB),
Tamil Nadu Electricity Board,
NPKRR Maligai,
No.144, Annasalai,
Chennai-600 002.

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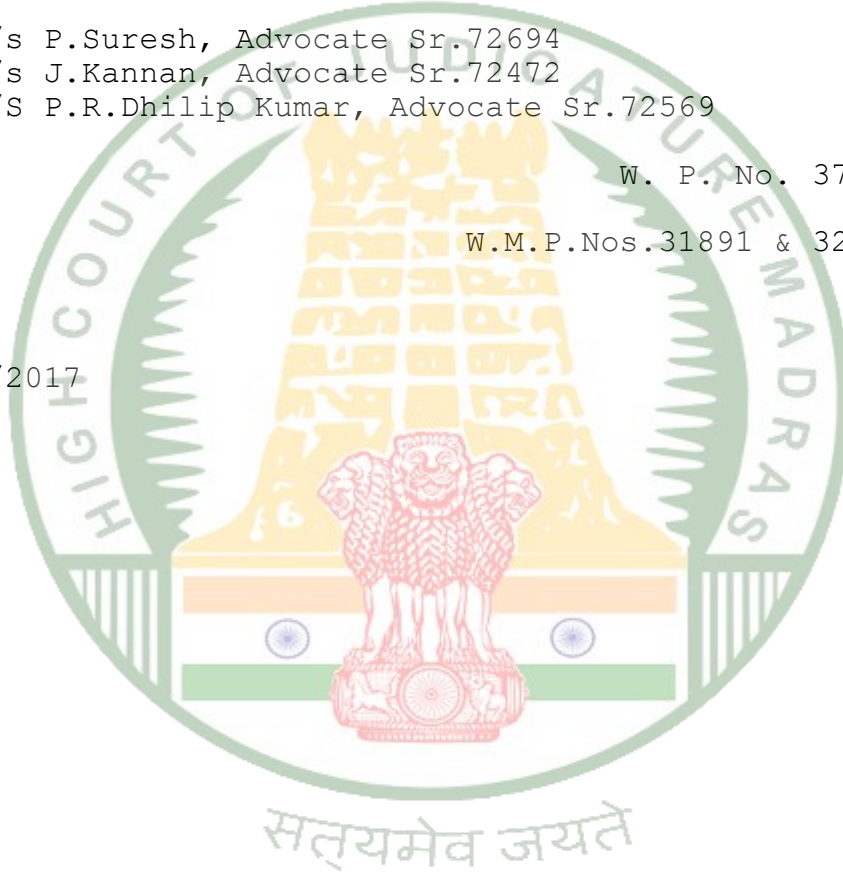
2.The Superintending Engineer,
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Valluvar Kottam,
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Chennai-600 034.

3.The Assistant Engineer,
TANGEDCO/CEDC/Central (TNEB),
No.26, West Colt Road,
Royapettah,
Chennai-600 014.

+1cc to M/s P.Suresh, Advocate Sr.72694
+3cc to M/s J.Kannan, Advocate Sr.72472
+1cc to M/S P.R.Dhilip Kumar, Advocate Sr.72569

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NM(CO)
RVR 10/01/2017



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