

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.41990 of 2016

N.Lingusamy

.. Petitioner

-vs-

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai-02.

2.The Junior Engineer,
(Operation and Maintenance),
Pollikalipalayam-South,
Tiruppur Electricity Distribution Circle,
Tamil Nadu Electricity Generation
and Distribution Co., Tiruppur.

3.K.K.Raj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records in relation to the impugned order passed by the second respondent in க.எண்.இ.மி.பொ/பொ கா.பா/தெ/கோ அ.க/அ.எண்.101-16-17. நாள்; 07.11.2016 directing the petitioner to avail Way-leave and quash the same as arbitrary and direct the second respondent to extend electricity service connection to the premises situated in Survey 135/1, M.Pudhupalayam, Muthanampalayam Village, Tiruppur within the reasonable time to be fixed by this Court.

For Petitioner : No appearance

For Respondents: Mr.S.K.Rameshwar,
TNEB for R1 and R2

ORDER

Mr.N.Lingusamy claiming to be an absolute owner of the premises situated in Survey No.135/1, M.Pudhupalayam, Muthanampalayam Village, Tiruppur measuring an extent of Acre 1.78 ¼cents, has constructed a new building and started a business under the name and style "Eesan Auto

Garage and Water Services". Subsequently, he has approached the Junior Engineer, (Operation and Maintenance)/the second respondent herein and submitted an application on 15.09.2016 for electricity service connection to his premises. The second respondent had sanctioned for extension of supply and assigned the Number 216-09/16-439 and on payment of necessary charges, the staff from the second respondent office visited the premises on the same day. But after making enquiry, they caused inordinate delay in extending the electricity service connection. Subsequently, the second respondent by impugned proceedings dated 07.11.2016 informed the petitioner that he has to get way-leave from the neighbouring land owner within 15 days for extension of the supply.

2. When the matter was taken up on 30.11.2016, this Court passed an interim order with a direction to the second respondent to give electricity connection within 24 hours to the petitioner and report the matter on 01.12.2016 at 2.15 p.m.

3. Learned counsel appearing for respondents 1 and 2 submitted that due to the objections raised and obstacles created by the petitioner, electricity service connection could not be given within 24 hours to the petitioner, as ordered by this Court. He would further submit that when the matter was listed on 01.12.2016 at 2.15 p.m., the officer concerned from the second respondent was present, but, the matter has not reached to report the further development, however, the electricity service connection has been given yesterday namely on 14.12.2016 in Electricity Service Connection No. 216-00/2921.

4. Recording the submission made by the learned counsel for respondents 1 and 2, this writ petition is closed as no order is required to be adjudicated. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga

To

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai-02.

2.The Junior Engineer,
(Operation and Maintenance),
Pollikalipalayam-South,
Tiruppur Electricity Distribution Circle,
Tamil Nadu Electricity Generation
and Distribution Co., Tiruppur.

MG(CO)
RS(11/01/2017)

W.P.No.41990 of 2016



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