

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.723 of 2017

B.Susindra

.. Petitioner

-vs-

1. The Assistant Engineer
Office of the Assistant Engineer
Tamil Nadu Electricity Generation and
Distribution
Ernavur Distribution Department
Tiruvottiyur, Chennai
 2. The District Environmental Engineer
Office of the District Environmental Engineer
Tamil Nadu Pollution Control Board
No.77 A, South Avenue Road
Ambattur, Chennai 600 058
 3. The Chairman and Managing Director
Office of the Chairman and Managing Director
Tamil Nadu Electricity Generation and Distribution
No.144, Anna Salai, Mount Road
Chennai
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for records in KA.No2.DO/EB/Ernavur/Ko.DOC/B5/17 dated 3.1.2017 on the file of the first respondent and quash the same as illegal, arbitrary and against basic principle of natural justice and consequently direct the first respondent to restore the electricity connection vide connection no.016-071-331 by this Hon'ble Court.

For Petitioner :: Mr.M.Sunil Kumar
For Respondents :: Mr.P.R.Dhilip Kumar
1 & 3

ORDER

This writ petition has been filed by Mrs.B.Susindra, Wife of Mr.V.Balamurugan challenging the impugned proceedings issued by the Assistant Engineer, Tamil Nadu Generation and Distribution

Corporation Ltd., Ernavur Distribution Circle, Tiruvottiyur, Chennai, in and by which the first respondent, wrongly disconnecting the electricity service connection provided to the petitioner on 30.12.2016, has directed the petitioner to produce the no objection certificate from the Tamil Nadu Pollution Control Board, citing a reason that the Tamil Nadu Pollution Control Board, in its proceedings dated 16.12.2016, had directed the Superintending Engineer, TANGEDCO, Thirumangalam complex to stop the power supply to the unit of M/s S.S.Plastics at No.33, Thulasiram Nagar, Sathangadu, Tiruvottiyur, Chennai, without even verifying that the unit at Door No.33, Thulasiram Nagar, Sathangadu, Tiruvottiyur, Chennai is having so many connections. As the petitioner is running only a warehouse and godown, a detailed written representation was submitted on 30.12.2016, as cutting and slitting units were not included in the disconnection list, requesting the first respondent to restore the electricity service connection and do the needful. But the first respondent till date has not come forward to restore the electricity service connection to the petitioner's warehouse and godown.

2. It is at this time, the learned standing counsel for the respondents submitted that since the electricity service connection to the petitioner's warehouse and godown bearing No.016-071-331 has been restored yesterday (9.1.2017), the prayer made by the petitioner has become infructuous. He has also submitted that when the Tamil Nadu Pollution Control Board, in its proceedings No.T8/TNPCB/F-28861/AMB-2/EB/2016 dated 16.12.2016, had directed the Superintending Engineer, TANGEDCO, Chennai Electricity Distribution Circle/West, Thirumangalam Complex to stop the power supply to the unit of M/s S.S.Plastics at No.33, Thulasiram Nagar, Sathangadu, Tiruvottiyur, Chennai with immediate effect, acting on the said instruction, the electricity service connection given to the Door No.33, Thulasiram Nagar, Sathangadu, Tiruvottiyur, Chennai were disconnected. But later on, after receiving the reply from the petitioner, it was found that the name of the petitioner has not been shown in the list for disconnection of the service connection. Secondly, the petitioner, under his tenant Sri Balaji Steels, is running a warehouse and godown.

WEB COPY

3. Since the electricity service connection bearing No.016-071-331 provided to the petitioner's warehouse and godown has been now restored, the prayer made by the petitioner has become infructuous. Accordingly, the writ petition is dismissed as infructuous. Consequently, W.M.P.No.763 of 2017 is also dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss
To

1. The Assistant Engineer
Office of the Assistant Engineer
Tamil Nadu Electricity Generation and
Distribution
Ernavur Distribution Department
Tiruvottiyur, Chennai
2. The District Environmental Engineer
Office of the District Environmental Engineer
Tamil Nadu Pollution Control Board
No.77 A, South Avenue Road
Ambattur, Chennai 600 058
3. The Chairman and Managing Director
Office of the Chairman and Managing Director
Tamil Nadu Electricity Generation and Distribution
No.144, Anna Salai, Mount Road
Chennai

+1cc to Mr.P.R. Dhilipkumar, Advocate, S.R.No.2186

+2cc to Mr.M. Sunilkumar, Advocate, S.R.No.2212

sv(CO)
md(31/01/2017)

W.P.No.723 of 2017