

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.11289 of 2017

and

W.M.P.Nos.12211 & 12212 of 2017

S.Mercy Rani

.. Petitioner

Vs.

1. The Assistant Engineer (Sub)
E & PA/Ambattur Circle,
Tamil Nadu Electricity Board,
Chennai - 600 053.

2. The Executive Engineer,
O & M./Ambattur,
TANGEDCO, 3rd Main Road,
S.S.Campus,
Ambattur Industrial Estate,
Chennai - 600 061.

3. The Director (Distribution),
TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.

4. The Chairman/The General Manager,
TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.

5. Thiru. Ramakrishnan
The Assistant Engineer (Sub),
E & PA/Ambattur Circle,
Tamil Nadu Electricity Board,
Chennai - 600 053.

6. C.Ravikumar

.. Respondents

Writ Petition is filed under Article 226 of The Constitution of India praying for the issuance of a writ of Certiorarified Mandamus calling for the records relating to the impugned order in letter No.vu.Po/Am Mai/Ko.Kattu/Ah No.239, dated 27.02.2017 passed by the first respondent and quash the same and

consequently direct the first respondent to grant a separate electricity connection in the name of the petitioner on the basis of his application dated 27.08.2014 for the property situate in the northern portion of the plot No.178 comprised in Grama Natham Survey No.594/1A2, bearing Door No.37/14, shop Street Venkatapuram, Ambattur, Chennai - 600 053.

For Petitioner : Mr.K.Prem Anand

For RR-1 to 4 : Mr.P.R.Dhilipkumar

For RR-5 & 6 : No Appearance

ORDER

The petitioner has come forward with this writ petition challenging the order dated 27.02.2017, by which, the request of the petitioner for separate service connection was not granted.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the Electricity Board.

3. Despite notice, none appears for respondents 5 and 6.

4. Learned counsel appearing for the petitioner submits that as per Regulation 27 sub clause 14, separate service connection can be given taking into consideration the nature of classification, either being domestic, commercial or industrial and when there is a physical separation between the place over which service connection is sought for as against the one where service connection is in existence. The learned counsel further submits that factually that is the position, as the premises in which the petitioner seeks service connection is physically separated and is in exclusive possession.

5. The learned counsel appearing for the respondent-Board would submit that the request has not been considered, as the sixth respondent has raised objection. What the petitioner seeks is the separate electricity service connection. Despite notice, no one has appeared for R-6. The factual averments made on the exclusivity of the place where the service connection is sought for as against the existing one are not denied.

6. In such view of the matter, the impugned order dated 27.02.2017 passed by the first respondent is set aside and the writ petition is allowed. The respondent-Board is directed to give separate electricity service connection to the petitioner, within a period of eight weeks from the date of receipt of copy

of this order subject to the electricity compliance. No costs.
The connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

Jrl/aav

To

1. The Assistant Engineer (Sub)
E & PA/Ambattur Circle,
Tamil Nadu Electricity Board,
Chennai - 600 053.
2. The Executive Engineer,
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Chennai - 600 002.
4. The Chairman/The General Manager,
TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.

+1cc to Mr.K.Premanand, Advocate in Sr.no.41944
+1cc to Mr.P.R.Dhilipkumar, Advocate in sr.no.42032

W.P.No.11289 of 2017

VGII(CO)
NR 19/06/2017

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