

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2017

CORAM

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

W.P. No.34214 of 2016

R.Arumugam .. Petitioner

-Vs-

- 1.The Chairman,  
Tamil Nadu Electricity Board (TANGEDCO),  
Mount Road,  
Chennai - 600 002.
- 2.The Assistant Engineer,  
Electricity Department,  
Tamil Nadu Electricity Board (TANGEDCO),  
Gingee, Villupuram District, 604 202.
- 3.The Junior Engineer,  
Tamil Nadu Electricity Board (TANGEDCO),  
Gingee, Villupuram District, 604 202.
4. The Executive Engineer,  
Tamil Nadu Electricity Board (TANGEDCO),  
Gingee, Villupuram District, 604 202. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus for considering the petitioners representation dt.25.04.2016 for restoration of petitioner's Electricity Service connection in connection No.306 by the 3<sup>rd</sup> respondent.

For Petitioner .. Mr.M.Velmurugan  
For Respondents .. Mr.M.Varun Kumar

ORDER

The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus to restore electricity connection to his service connection No.306 by the 3<sup>rd</sup> respondent.

2. According to the petitioner, he is a farmer possessing agricultural lands. For the said lands, he is possessing service connection in Electricity service Connection No.306. While so, on 10.3.2016, the service connection to his land was stopped by the respondent officials without giving any notice either to him or his legal heirs and when he asked the officials for the disconnection, he was asked to appear before the board with all documents to prove his bonafide. Further, he was called upon by the local police officer to enquire about the theft in electricity in his agricultural land and he was told that the petitioner has misused the electricity connection under the Act. Thereafter, the petitioner moved before this Court anticipatory bail in Crl.O.P.No.6869 of 2016 and he was enlarged on anticipatory bail on condition that he should deposit a sum of Rs.25,000/- to the Electricity Board, Gingee and accordingly, the petitioner had deposited the conditional amount of Rs.25,000/- to the 4th respondent herein on 13.4.2016.

3. It is the grievance of this petitioner that though he complied with the conditional order of this Court, the respondents failed to restore the connection. Hence he gave representation to the 3rd respondent on 25.4.2016 which is pending consideration till date. Since no action has been taken by the respondents to restore the electricity service connection to his land, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. The petitioner's service connection was disconnected on the ground that he has misused the service connections mentioned therein for some other purpose. The petitioner has paid a sum of Rs.25,000/- out of alleged amount of Rs.30,381/-. Thus he is required to pay a further sum of Rs.5381/-.

6. The Learned Counsel for the petitioner submitted that the disconnection has taken place without due enquiry. The petitioner has suffered sufficiently for more than a year. He has also paid a sum of Rs.25,000/- while getting anticipatory bail in Crl.O.P.No. 6869 of 2016 and thus what is remaining to be paid is Rs.5381/-.

7. Considering the above said submission and taking note of the fact that no adjudication has taken place, coupled with further fact that the petitioner is willing to pay the amount of loss of energy, this court is inclined to allow the Writ Petition by directing the petitioner to pay the remaining amount

of Rs.5381/- within a period of two weeks from the date of receipt of a copy of this order. On such payment, the electricity service connection which has been disconnected from the petitioner's land will have to be restored within further period of two weeks therefrom.

8.The writ petition is allowed in the above terms. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Chairman,  
Tamil Nadu Electricity Board (TANGEDCO),  
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4. The Executive Engineer,  
Tamil Nadu Electricity Board (TANGEDCO),  
Gingee, Villupuram District, 604 202.

+1cc to Mr.M. Velmurugan, Advocate, S.R.No.15811

sv(CO)  
md(04/04/2017)

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