

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

And

THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.Nos.24095 of 2004 and 26379 of 2005
and WMP.Nos.28812 and 28813 of 2005

W.P.No.24095 of 2004

Foundation for Fair Practice in
Property Development (FAIRPRO),
Rep. by its Secretary M.S.Rajamanickam,
No.40, C.P.Ramasamy Road,
Alwarpet, Chennai-600 018. ... Petitioner

vs.

1. Union of India,
Rep by the Secretary to Government,
Ministry of Energy, New Delhi.
2. State of Tamil Nadu,
Rep by the Secretary to Government,
Energy Department,
Secretariat, Fort St.George,
Chennai-600 009.
3. State of Tamil Nadu,
Rep. by the Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai-600 009.
4. State of Tamil Nadu,
Rep. by the Secretary to Government,
Municipal Administration and Water
Supply Department,
Secretariat, Fort St.George,
Chennai-600 009.
5. State of Tamil Nadu,
Rep. by the Secretary to Government,
Rural Development Department,
Secretariat, Fort St.George,
Chennai-600 009.
6. Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Chennai-600 008.

7. The Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
Chennai.
8. The Tamil Nadu Electricity Board,
Rep. by its Chairman,
800, Anna Salai, Chennai-600 002.
9. The Special Commissioner,
Town and Country Planning Department,
Chepauk, Chennai-600 005.
10. The Director of Town Panchayats
Chennai 600 018.
11. The Director of Rural Development
Saidapet, Chennai 600 015. ... Respondents

W.P.No.26379 of 2005

Foundation for Fair Practice in
Property Development (FAIRPRO),
Rep. by its Secretary M.S.Rajamanickam,
No.40, C.P.Ramasamy Road,
Alwarpet, Chennai-600 018. ... Petitioner
vs.

1. State of Tamil Nadu,
Rep. by the Secretary to Government,
Municipal Administration and Water
Supply Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Chennai Metropolitan Water Supplies
and Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,
Chennai-600 002.
3. The Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
No.8, Gandhi Irwin Road,
Chennai-600 008. .. Respondents

Prayer in W.P.No.24095 of 2004: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent comprised in G.O.Ms.No.112, Energy (B1) Department dated 5.7.2004 and quash the same as unconstitutional and invalid and consequently, direct the respondents to continue to apply the provisions contained in

G.O.Ms.No.253, PWD dated 18.2.1992 while considering applications for supply of electricity and Water and sewerage connection to any premises.

Prayer in W.P.No.26379 of 2005: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records of the first respondent comprised in Letter (Ms.) No.105 dated 13.07.2005 and quash the same as unconstitutional and invalid.

For Petitioner : Mr.Prahalat Bhat
in both W.Ps. For Mr.R.Parthasarathy
For Respondents : Mr.A.N.Thambidurai,
in both W.Ps. Special Government Pleader
for State Government.
Mr.C.Johnson for CMDA
Mr.Dhilip Kumar for TNEB

C O M M O N O R D E R

(Order of the Court was made by M.SATHYANARAYANAN, J.)

In the light of the judgment rendered by a Division Bench of this Court in Citizen, Consumer and Civic Action Group, rep by its Trustee Tata Murali, Chennai-20 v. State of Tamil Nadu, rep by its Secretary to Government, Law Department, Chennai-9 and Others [2014 (2) CTC 225] and yet another decision in S.Prakash Chand Jain v. State of Tamil Nadu, by its Secretary, Housing and Urban Development Department, Chennai-9 and Others [(2014) 2 MLJ 551], coupled with the fact that the second Master Plan dated September, 2008, also imposed the condition that for getting electricity service connection, Completion Certificate is mandatory, this Court is of the view that nothing survives for adjudication in these writ petitions.

2. Hence, both the Writ Petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

jvm

To

1. The Secretary to Government,
Union of India, Ministry of Energy, New Delhi.

2. The Secretary to Government,
State of Tamil Nadu,
Energy Department, Secretariat, Fort St.George,
Chennai-600 009.

3. The Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Fort St.George, Chennai-600 009.
 4. The Secretary to Government,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George, Chennai-600 009.
 5. The Secretary to Government,
State of Tamil Nadu,
Rural Development Department,
Secretariat, Fort St.George, Chennai-600 009.
 6. The Member Secretary,
Chennai Metropolitan Development Authority,
Chennai-600 008.
 7. The Secretary,
The Tamil Nadu Electricity Regulatory Commission, Chennai.
 8. The Chairman,
The Tamil Nadu Electricity Board,
800, Anna Salai, Chennai-600 002.
 9. The Special Commissioner,
Town and Country Planning Department,
Chepauk, Chennai-600 005.
 10. The Managing Director
The Chennai Metropolitan Water Supplies and Sewerage Board
No 1, Pumping Station Road, Chennai 600 002.
 11. The Director of Town Panchayats
Chennai 600 018.
 12. The Director of Rural Development
Saidapet, Chennai 600 015.
- +1 CC to Govt. Pleader sr 50974
+1 CC to Mr.Sathish Parasaran, Advocate sr 50708.

W.P.Nos.24095 of 2004 and 26379 of 2005

SJ(CO)
sp(10/08/2017)