



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.7096 of 2017

WEB COPY

V.Jesudoss

...Petitioner

Vs.

1. The Superintending Engineer, (O&M),
Tamil Nadu Electricity Board, Junction Area,
Mannarpuram, Trichy - 20.

2. The Assistant Engineer, (O&M),
Tamil Nadu Electricity Board, Junction Area,
Thennur, Trichy - 20.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner, dated 08.04.2017, in consonance with the Judgment and Decree passed in O.S.No.452 of 2015 by the learned II Additional District Munsif, Tiruchirappalli and to change the service connection No.211-015-1489 from domestic to commercial purpose.

For Petitioner : Mr.T.Saravanan

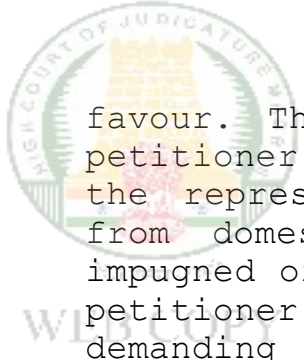
For Respondents : Mr.E.P.Venkateshwar,
for Mr.S.M.S.Johny Basha,
Standing Counsel for the T.N.E.B.,

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner, dated 08.04.2017, in consonance with the Judgment and Decree passed in O.S.No.452 of 2015 by the learned II Additional District Munsif, Tiruchirappalli and to convert the service connection No.211-015-1489 from domestic to commercial purpose.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for T.N.E.B., appearing for the respondents.

3. The learned counsel for the petitioner submitted that as <https://hccsresults.gov.in/hccsresults/> legal demand, the petitioner filed a suit in O.S.No.452 of 2015 before the learned II Additional District Munsif Court, Tiruchirappalli, and obtained a decree in his



favour. Though it is submitted by the learned counsel for the petitioner that the decree in the said suit is nothing to do with the representation of the petitioner, for conversion of tariff from domestic to commercial purpose, the respondents by the impugned order, dated 10.04.2017, informed the petitioner that the petitioner has filed a suit, preventing the respondents from demanding the consumption charges earlier and that therefore, the petitioner's application could not be considered.

4. The reasons for rejecting the request of the petitioner does not convey any meaning nor there is substance in it. The suit decreed in favour of the petitioner is for declaration that a particular demand is illegal and for a consequential injunction restraining the respondents from proceeding with any demand pursuant to the impugned order. The said suit is nothing to do with the representation of the petitioner seeking conversion of the tariff from domestic to commercial.

5. This Court also takes judicial notice of the fact that the domestic tariff is lesser and it will be beneficial to the respondents, if the tariff is converted to domestic to commercial. Hence, the Writ petition is allowed with a direction to the respondents to consider the representation of the petitioner, dated 08.04.2017 on merits and in accordance with law and to dispose of the same within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-I)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Superintending Engineer, (O&M),
Tamil Nadu Electricity Board, Junction Area,
Mannarpuram, Trichy - 20.

2. The Assistant Engineer, (O&M),
Tamil Nadu Electricity Board, Junction Area,
Thennur, Trichy - 20.

+1cc to M/S.S.VENKATESH, Advocate SR.No.61700

pmu

MAS/SKN-RSK/SAR2:26.07.2017:2P-4C

ORDER MADE IN
W.P. (MD) No.7096 of 2017
22.06.2017