

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.12.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.19070 of 2005

and

W.P.M.P.Nos.20601 & 20602 of 2005

Sreevatsa Gardens House and Apartment
Owners Association, Rep by its
President Mr.C.R.Ramachandran,
Thudiyalur, Coimbatore - 641 034.

...Petitioner

...Vs...

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.

2.The Assistant Accounts Officer,
Revenue Branch,
CEDC/NORTH/TNEB,
K.Vadamadurai - 641 017.

3.The Executive Engineer, Distribution,
Tamil Nadu Electricity Board,
K.Vadamadurai - 641 017.

...Respondents

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records in K.No.U.K.A/Revenue Division/K.M./P.U/O.No.NIL dated -05-2005 on the file of the Assistant Accounts Officer, Revenue Branch, CEDC/NORTH/TNEB, K.Vadamadurai - 641 017, the second respondent herein pertaining to Electricity Service Connections of 109 members of the Petitioner Association and consequently quash the same.

For Petitioner : Mr.A.V.Arun

For Respondents :Mr.P.R.Dilip Kumar
Standing Counsel for EB

O R D E R

The demand notice issued by the respondent Nos.2 & 3 in May, 2005 is under challenge in the present writ petition.

2. The demand notice was issued in respect of the residents of the petitioner Apartment Owners Association. Infact, the demand notices were issued individually to the flat owners and the Association filed the present Writ Petition, challenging all such individual notices. First of all, the individual demand notice issued to the individuals are to be adjudicated by the person concerned. Thus, the Apartment Owners Association cannot file a Writ Petition in respect of the individual demand notices issued by the respondents in respect of the usage of the electricity by the individual flat owners.

3. Thus, the Writ Petition itself is liable to be rejected on the ground that the Apartment Owners Association cannot be construed as aggrieved person nor the Writ Petition can be maintained by the Flat Owners Association in this regard.

4. The learned counsel appearing for the petitioner informed this Court that inspite of his efforts, the learned counsel is unable to secure instructions to proceed with the matter. The learned counsel expressed his inability to argue with the matter for want of instructions. In any event, the basis for filing of the present Writ Petition is not established and further, the learned counsel is also unable to proceed with the matter.

5. Thus, the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm/kak

To

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.

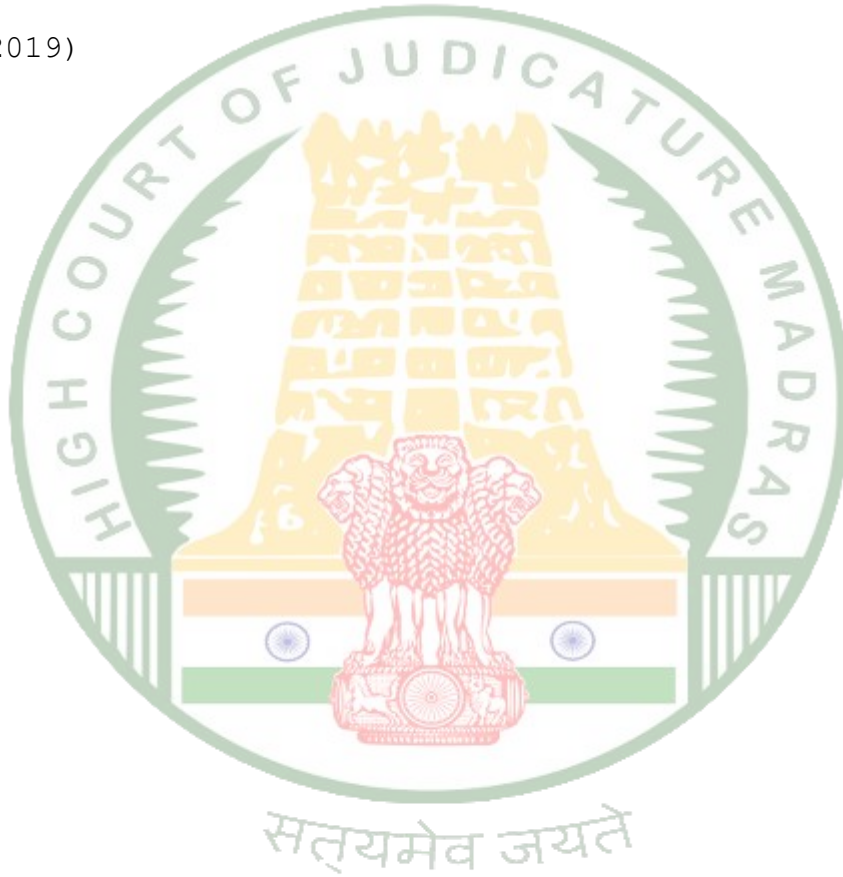
2.The Assistant Accounts Officer,
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CEDC/NORTH/TNEB,
K.Vadamadurai - 641 017.

3.The Executive Engineer, Distribution,
Tamil Nadu Electricity Board,
K.Vadamadurai - 641 017.

+1cc to Mr. A.V.Arun, Advocate, S.R.No. 84624

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RJI (CO)
GN(07/01/2019)



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