

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30690 of 2017

R.Velusamy

...Petitioner

Vs.

1. The Assistant Engineer,
Tamilnadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Coimbatore Electrical Distribution Circle,
Gramiam (West), Periyamaddampalayam,
Billichchi Post, Coimbatore - 641 019.
2. R.Devarajan, ... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st Respondent to receive the Application and provide Electricity Connection (Domestic) to the Petitioner's house bearing D.No.4/425-2, Chinnamathampalayam Village, Billachi Post, Coimbatore District which comprised in S.F.No.521.

For Petitioner : Mr.R.Nandhakumar
For Respondents : Mr.S.K.Rameshwar (For R1)
Mr.E.K.Kumaresan (For R2)

O R D E R

The relief sought for in this Writ Petition is for a direction to direct the Second Respondent to provide the electricity connection (Domestic) to the Petitioners house bearing D.No.4/425-2, Chinnamathampalayam Village, Billichchi Post, Coimbatore District, which is comprised in S.F.No.521.

2.The grievances of the Writ Petitioner is that he succeeded in the Civil Suit as well as in the First Appeal filed by the Second Respondent. The Second Respondent has preferred the Second Appeal before this Court and the same is pending.

3.The learned counsel appearing on behalf of the Electricity Board contends that during the pendency of the second appeal, the authorities are refused to provide electricity connection,

which is an essential one to every citizen of this great nation and the same cannot be denied merely on the ground that certain litigations are pending between the parties.

4. Admittedly, the original suit and the appeal filed by the Second Respondent are ended in favour of the Writ Petitioner and the Second Respondent has preferred the second appeal, which is now pending for consideration.

5. Thus, the Writ Petitioner is at liberty to submit an application along with all relevant documents to the Electricity Board and on receipt of such application, the Board shall consider the same on merits and in accordance with law if otherwise the Petitioner is eligible for electricity service connection shall be provided to the Writ Petitioner within a period of six(6) weeks from the date of receipt of a copy of this order.

6. With these observations, the Writ Petition is disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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+1 CC to Mr. R. Nandhakumar, Advocate sr 55851.

+1 CC to Mr. E. K. Kumaresan, Advocate sr 56028.

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SP(07/09/2018)

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