IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.09.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No.23025 of 2018 and
W.M.P. No.26918 of 2018

G.N.Jayantheswari ... Petitioner

Vs

1. The Chief Engineer,
TN Generation and Distribution Corporation (Ltd),
Chennai EDC, South region,
Block No.5A, No.144, Anna salai,
NPKRR Maligai, Chennai 600 002.

2. The Executive Engineer
TN Generation and Distribution Corporation (Ltd),
Maraimalai Nagar,
Kancheepuram District.

3. The Assistant Engineer,
TN Generation and Distribution Corporation (Ltd),
Urapakkam Division (East),
Easwaran Kovil Street,
Kancheepuram District. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to his proceedings in KA. No. SE.KO/E.E.PA/MAMANA/KO.COMPLAINT A NO. 464/2016 and QUASH the order dated 26.02.2017 and consequently direct the respondents to provide domestic electricity supply to the petitioner's residence at No. 35, Chinnakannu Street, Gokulam Colony, Karanaipudurcherry, Kancheepuram District.

For Petitioner : Mr.R.Sivakumar

For Respondents : Mr.S.K.Rameshwar

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with the present writ petition for a certiorarified mandamus challenging the proceedings dated 26.12.2017 made in KA. No.SE.KO/E.E.PA/MAMANA/KO.COMPLAINT A No.464/2016 passed by the second respondent and consequently directing the respondents to provide domestic electricity supply to her residence

situated at No.35, Chinnakannu Street, Gokulam Colony, Karanaipudurcherry, Kancheepuram District.

3.The case of the petitioner is that originally the land to an extent of 3072 sq.ft. at Survey No.387/2, Karanaipuducherry Villlage, Kancheepuram District was purchased by her husband V.S.Narayana Rao in the year 2008 and a building has been constructed out of his self earning. Subsequently, by a Settlement Deed dated 15.09.2017 the same was settled in her favour. When the things stood so, the petitioner approached the respondents by an application dated 28.07.2017 enclosing all the necessary documents, seeking electricity service connection. Finding no response, she is before this Court.

4.According to the learned counsel for the petitioner, the petitioner has obtained a Residential Certificate dated 02.04.2018 from the Village Administrative Officer stating that the Certificate has been issued for the purpose of obtaining electricity connection. Subsequently, the petitioner submitted a representation dated 04.04.2018 along with the said certificate to the third respondent requesting for electricity connection, but, the same is yet to be disposed of by the third respondent. However, the learned counsel submitted that it would suffice, if the representation dated 04.04.2018 made by the petitioner is directed to be considered by the third respondent, on merits.

5.Mr.S.K.Rameshwar, learned Standing Counsel for Tamil Nadu Electricity Board taking notice for the respondents, submitted that the third respondent be directed to consider the petitioner's representation and pass orders in accordance with law.

6.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the third respondent to consider the petitioner's representation dated 04.04.2018, in the light of the Residential Certificate dated 02.04.2018 issued by the Village Administrative Officer and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

7.Accordingly, this writ petition stands disposed of. No costs.

05.09.2018
Index: Yes/No
vga

To

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R.MAHADEVAN, J.

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