

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2018

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI
W.P.No.30797 of 2007
and
M.P.No.1 of 2007

K.Umakanth

...Petitioner.

Versus

1.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Vanuvampettai,
Chennai-88.

2.The Joint Engineer,
Tamil Nadu Electricity Board,
Vanuvampettai,
Chennai-88.

3.The Secretary,
Tamil Nadu Electricity Board,
800, K.R.Ramasamy Building,
Anna Salai,
Chennai-2.

....Respondents.

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to the impugned order dated ... 04/2007 in respect of connection No.279/001/454 viz., proceedings Letter No.Asst.Ele.Eng/ O.M/Va.Pe/Va.Me/Ko.Exam/consequently direct the first respondent to restore the electricity connection of the petitioner.

For Petitioner : Mr.K.Venkatachalam.
For Respondents : Mr.S.K.Rameshwar (for RR1 & 2)
Standing counsel (TNEB)
Mr.P.Gunaraj (for R3)

O R D E R

The petitioner has filed this writ petition for issuance of Certiorarified Mandamus, calling for the records of the first respondent pertaining to the impugned order dated ..04/2007 in respect of connection

No.279/001/454 viz., Proceedings Letter
No.Asst.Ele.Eng/O.M/Va.Pe/Va.Me/Ko.Exam/ and consequently
direct the first respondent to restore the electricity
connection of the petitioner.

2.The case of the petitioner is that he purchased a flat from one Ashok Kumar, who is the builder of the said flat. Though, the petitioner is the owner of the flat, the Electricity Service connection bearing No.279/001/454 stands in the name of the builder and the petitioner pays the electricity consumption charges regularly without any default. While so, the first respondent Electricity Board had passed the aforesaid impugned order stating that, on inspection, it was found that from January 2005 to March 2006, the respondent Electricity Board had wrong calculated the electricity consumption charges and hence, an amount of Rs.19,529/- towards deficit balance has to be paid within 15 days from the date of receipt of their communication. Aggrieved by the same, the petitioner has filed this writ petition with the aforesaid prayer.

3.Heard both sides.

4.The learned counsel for the petitioner would submit that, at the time of admission, this Court by an order dated 22.11.2007, has directed to deposit an amount of Rs.10,000/- to the respondent-Electricity Board. Accordingly, in order to prove his bonafide, he has paid Rs.10,000/- to the respondent-Electricity Board and further submit that the petitioner is ready to pay the balance amount within a period of two weeks.

5.In view of the above submission made by the learned counsel for the petitioner, the petitioner is directed to pay the balance amount of Rs.9,529/- to the respondent-Electricity Board within two weeks from the date of receipt of copy of this order. Upon such payment, the first respondent shall restore the electricity connection of the petitioner.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CSix)

//True Copy//

Sub Assistant Registrar

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To

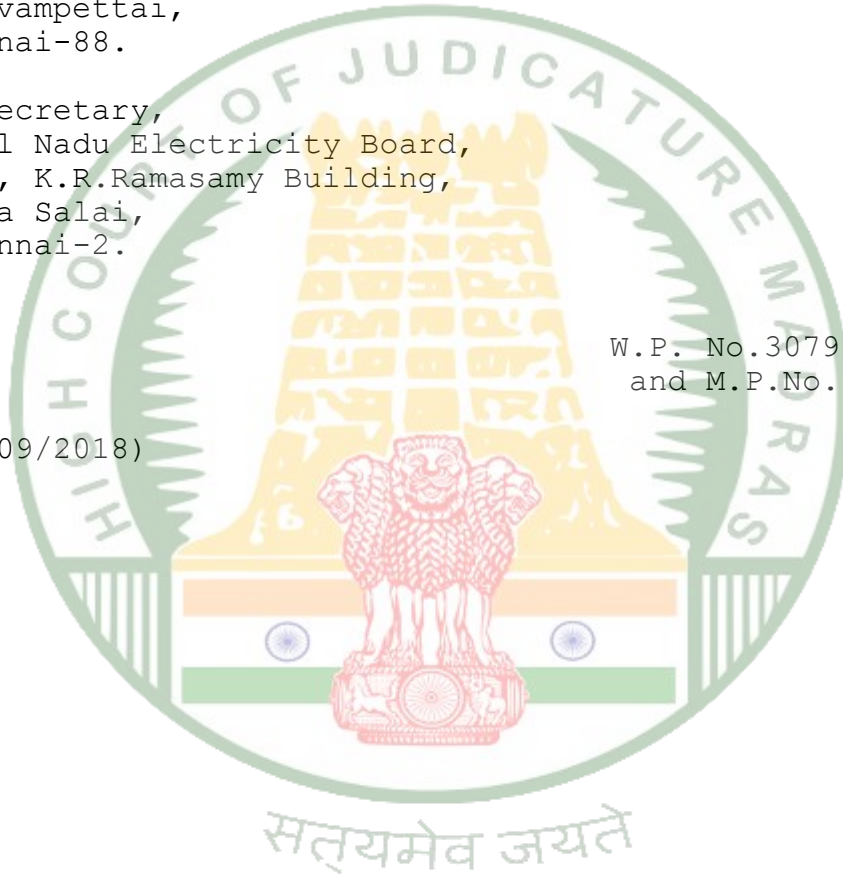
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ASK(18/09/2018)



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