

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2018

Coram:

The Honourable Mr.Justice S.M. SUBRAMANIAM

W.P.No.9364 of 2013

and

M.P.No.1 of 2013

Praveen Kumar

...Petitioner

Versus

The Assistant Engineer,
Tamil Nadu Electricity Board,
Sowcarpet East Division,
Chennai - 79.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari calling for the records of the respondent in relation to the notice date 21.03.2013 vide Ka.No.Vu.Po/So/East/Ko. Thani/Aa.No.75/13 and quash the same as illegal and invalid.

For Petitioner	:	Mr.T.S.Baskaran
For Respondent	:	Mr.P.R.Dhilip Kumar

ORDER

The notice issued by the respondent in proceedings dated 21.03.2013, in relation to the disconnection of the electricity in the premises of writ petitioner's house, is under challenge in this Writ Petition.

2. The grievance of the writ petitioner is that without even providing any opportunity to him, the impugned order has been passed for the purpose of effecting disconnection of the electricity supply to the premises of him. Aggrieved by this, the petitioner moved this Court with the present writ petition.

3. The learned counsel appearing on behalf of the respondent submitted that the writ petitioner is not eligible to get a service connection in his premises, in view of the fact that there is no proper approval given by the local authorities in respect of the construction of buildings.

4. The learned counsel appearing for the writ petitioner disputed the fact by stating that the petitioner is in possession of the proper approval plan and all other required documents in respect of his premises.

5. In these circumstances, this Court is of the opinion that in view of the developments that took place during the pendency of the writ petition, the petitioner is directed to submit a fresh application along with all other documents to the respondent and the respondent is directed to look into the Application, if any, filed by the writ petitioner and pass orders, on merits and in accordance with law.

6. The petitioner shall submit all the required documents to the respondent within a period of three weeks from the date of receipt of a copy of this order. In the event of submitting any such documents by the writ petitioner, the respondent is directed to consider the documents and other materials available on record, and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

mrr/vsg 1

To

The Assistant Engineer,
Tamil Nadu Electricity Board,
Sowcarpet East Division,
Chennai - 79.

+2 CC to Mr.T.S.Baskaran, Advocate sr 43784.

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BR(CO)
SP(14/08/2018)