

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 12540 of 2018

and W.M.P.No.14683 of 2018

N.Muthulingam

.. Petitioner

Vs

1. The Executive Engineer
Tamil Nadu Electricity Board
Operation and Maintenance
Panruti, Cuddalore District.
 2. The Assistant Executive Engineer
Tamil Nadu Electricity Board
Village - North
Panruti, Cuddalore District.
 3. The Assistant Engineer
Tamil Nadu Electricity Board
Village - North
Panruti, Cuddalore District.
- .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein extent the electricity service connection to the petitioner's residential premises bearing Old Survey No.416/1, New Survey No.103/9, situated at Plot No.1025, 4th Street, Periyar Nagar, Lakshminarayanapuram, Panruti, Cuddalore District pursuant to his applications dated 02.03.2009, 02.09.2009 and 12.04.2018 after payment necessary charges from the petitioner in accordance with law as well as per the regulations of the Board order.

For Petitioner : Mr.J.Selvarajan

For Respondents : Mr.M.Varun Kumar

ORDER

Heard Mr.J.Selvarajan, learned counsel for the petitioner and Mr.M.Varun Kumar, learned counsel for respondents.

2. The petitioner has filed this writ petition seeking for issuance of Writ of Mandamus directing the respondents to extend the electricity service connection to the petitioner's residential premises bearing Old Survey No.416/1, New Survey No.103/9, situated at Plot No.1025, 4th Street, Periyar Nagar, Lakshminarayanapuram, Panruti, Cuddalore District pursuant to his applications dated 02.03.2009, 02.09.2009 and 12.04.2018 after payment of necessary charges from the petitioner in accordance with law.

3. The petitioner claims that he is the absolute owner of the above said property and has put up a small house in the year 2009. Thereafter, the petitioner has made an application for providing electricity connection to his residential portion. However, the respondents Electricity Board have not considered the said application. Aggrieved by the inaction of the respondents, the petitioner has filed a writ petition in W.P.No.10836 of 2009 and this Court, vide order dated 22.07.2009, allowed the said writ petition and directed the petitioner to submit an application for obtaining fresh electricity service connection and also directed the respondents to scrutinise the same and extend the service connection, if there are no legal impediments, within one month thereafter. Since, no electricity connection was provided till date, the petitioner came forward to file this writ petition.

4. The learned counsel appearing for the respondents would submit that though this Court issued a direction to the petitioner to submit an application for obtaining fresh electricity service connection, till date the petitioner has not submitted any application. He further submitted that if the petitioner submits an application, the respondents will consider the same in accordance with law.

5. On a perusal of the typed set of papers, it is seen that as per the order passed by this Court in W.P.No.10836 of 2009, dated 22.07.2009, the petitioner did not make any application before the respondents for obtaining fresh electricity service connection.

6. Considering the facts and circumstances of this case, this Court directs the petitioner to submit an application for obtaining fresh electricity service connection before the

respondents and after receipt of such application, the respondents shall process the same in the light of the order passed in W.P.No.10836 of 2009, dated 22.07.2009 and pass orders within a period of twelve weeks thereafter.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Vacation Officer/
Assistant Registrar (AD-I)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Executive Engineer
Tamil Nadu Electricity Board
Operation and Maintenance
Panruti, Cuddalore District.
2. The Assistant Executive Engineer
Tamil Nadu Electricity Board
Village - North
Panruti, Cuddalore District.
3. The Assistant Engineer
Tamil Nadu Electricity Board
Village - North
Panruti, Cuddalore District.

+1cc to Mr.J.SELVARAJAN, Advocate, S.R.No.33709
+1cc to Mr.M.VARUN KUMAR, Advocate, S.R.No.33655

W.P.No.12540 of 2018

SKV(CO)
GN(23/05/2018)

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