

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.23149 of 2018

and

WMP.No.27049 of 2018

Mr.P.Sundaravaradhan ..Petitioner

vs

1.The Assistant Executive Engineer,
O & M West Mambalam,
C.E.D.C. Central Chennai,
No.1, K.R.Koil Street, West Mambalam,
Chennai- 600 033.

2.Mr.A.Rajagopalan .. Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari Mandamus to call for the records of the first respondent pertaining to Ka.No.UU.Se.Po./Moo.Maa-I/Koo/A. No:217/2018 dated 05.07.2018 and quash the same and consequently direct the first respondent to provide electricity service connection to the petitioner's tenanted premises at First floor, Old No.15, New No.43, Arya Gowda Road, West Mambalam, Chennai-600033.

For Petitioner : Mr.G.Vijayakumar

For Respondents : Mr.P.R.Dhilip Kumar (R1)

Mr.B.Ramar (R2)

O R D E R

This writ petition has been filed to quash the order dated 05.07.2018 passed by the first respondent, whereby, the claim of the petitioner seeking electricity service connection to his tenanted premises at First Floor, Old No.15, New No.43, Arya Gowda Road, West Mambalam, Chennai - 600 033, was rejected, stating that the petitioner has not furnished any document to prove his ownership and that, there is an existing service connection in the premises in question.

2. Though the prayer in this Writ is for a Certiorari, the learned counsel now confines the prayer for mandamus since the petitioner, after receiving the order dated 05.07.2018, which is impugned herein, sent a detailed representation dated 10.07.2018 enclosing all the details for service connection in respect of the premises in question. However, the said representation was not considered. Hence, he seeks appropriate direction in this writ petition.

3. When the matter is taken up for consideration, the learned counsel for the first respondent, on instructions, submitted that the case of the petitioner would be considered afresh and the meter shall be installed at the point of entry to the petitioner's premises i.e., in the ground floor, which has been agreed by the learned counsel for the petitioner as well as the second respondent.

4. Considering the facts and circumstances of the case and also having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the representation of the petitioner dated 10.07.2018 and pass appropriate orders, on merits and as per law, within a period of one week from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of, with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

01.10.2018 Index : Yes / No

Internet:Yes/No

Speaking / Non-speaking

Note: Issue order copy on 04.10.2018

To

The Assistant Executive Engineer,
O & M West Mambalam,
C.E.D.C. Central Chennai,
No.1, K.R.Koil Street, West Mambalam,
Chennai- 600 033.

R.MAHADEVAN, J.

arr

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