

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :07.12.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.14743 of 2018

G.Rajarajan

..Petitioner

Vs

The Junior Electric Engineer,
TANGEDCO,
Tamil Nadu Electricity Board,
Paddapai, Chennai - 601 301.

..Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to provide the electricity connection to petitioner house bearing plot No.13 of Estar Nagar layout comprised in survey in New No 110/26 (old No S.No.110/1A1A1A1B) and No 111/1A1A1A2A1 of Salamangalam Village, measuring about 1864 sqft. Sriperumbudur Taluk, Kundrathur Panjayath Union, Kancheepuram District vide of Sale deed dated 04.08.2016, based on the application dated 21.03.2017 made by the petitioner.

For Petitioner :Mr.C.B.Muralikrishnan

For Respondents : Mr.S.K.Raameshwar
Standing counsel for Electricity Board.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondent to provide electricity service connection to the petitioner's house bearing plot No.13 of Easter Nagar layout comprised in survey in New No 110/26 (old No S.No.110/1A1A1A1B) and No 111/1A1A1A2A1 of Salamangalam Village, measuring about 1864 sqft. Stiperumbudur Taluk, Kundrathur Panjayath Union, Kancheepuram District.

2.The learned counsel appearing on behalf of the respondent made a submission that the writ petitioner submitted an application, seeking electricity service connection in the premises. During the inspection, it was found by the officials that, there is a dispute between the writ petitioner and his neighbour one Vairamani. However, the said neighbour, Vairamani

has not been impleaded as a party respondent in the present writ petition. However, the learned counsel for the respondent, on instructions, informed this Court that, Civil disputes are pending between the parties, and the said Vairamani claims that a portion of his land is encroached by the writ petitioner. This being the nature of the dispute, the department has advised to appoint a Government approved surveyor for the purpose of resolving the issue between the writ petitioner and his neighbour. However, the writ petitioner has not initiated any steps to measure the land and settle the issues. In the event of settling the issues the respondents would be in a position to consider the application submitted by the writ petitioner for providing electricity service connection.

3. In view of the fact that the writ petitioner has not taken any action in this regard, the respondents are unable to proceed with the matter. Under these circumstances, the petitioner is at liberty to initiate all necessary steps to comply with the directions issued by the Consumer Redressal Forum and after such compliance the writ petitioner is at liberty to approach the respondents for the purpose of considering his application in accordance with the Electricity Supply Code.

4. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pns

To
The Junior Electric Engineer,
TANGEDCO,
Tamil Nadu Electricity Board,
Paddapai, Chennai - 601 301.

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.84743

+1cc to Mr.C.B.Muralikrishnan, Advocate, S.R.No.84856

W.P.No.14743 of 2018

PA (CO)
GSP (10/01/2019)