

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.19653 of 2017 and
W.M.P.Nos.21223 and 21224 of 2017

1.A.Panneer Selvam
2.V.Radha

.. Petitioners

Vs.

Assistant Engineer,
Seven Wells,
Tamil Nadu Electricity Distribution Circle [N],
Chennai - 600 0001. .. Respondent

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to connect the electricity meter bearing No.01-109-059-51 and No.01-109-059-52 fixed in the petitioner premises No.16/24, Pedariar Koil Street, Chennai - 600 001 to record the consumption of electricity supply.

For Petitioners : Mr.D.Nellaiappan

For Respondent : Mr.P.R.Dhilipkumar
Standing Counsel

O R D E R

This Writ Petition has been filed for issuance of a writ of mandamus, directing the respondent / Assistant Engineer, Seven Wells, Tamil Nadu Electricity Distribution Circle [N], Chennai, to connect the Electricity meter bearing Nos.01-109-059-51 and 01-109-059-52 fixed in the petitioners' premises bearing Door No.16/24, Pedariar Koil Street, Chennai - 600 001 and to record the consumption of electricity supply and pass appropriate orders.

2. The learned counsel appearing for the petitioners submitted that the petitioners are the owners of the premises bearing Door No.16/24, Pedariar Koil Street, Chennai-600 001. The premises is consisting of 4 floors occupied by the tenants

and the petitioners. One portion in the fourth floor is in their possession and they are provided with 3 service connections in their name, namely, 01-109-059-51, No.01-109-059-52 and No.01-109-059-59. The meters relating to the Service Connection Nos.01-109-059-51 and 01-109-059-52 are to record the consumption of electricity enjoyed by 6 tenants in the first floor. Similarly, 2 tenants in the second floor, 3 tenants in the third floor and only 1 tenant and the petitioners are in the fourth floor. The other Service Connection No.01-109-059-13 is meant to record the consumption of electricity enjoyed by the three tenants in the ground floor and for one tenant and the petitioners in occupation of a portion in the fourth floor.

3. While so, a problem started, when their tenants have failed to pay the rent as well as the electricity consumption charges. The petitioners had also advised them to pay the rent and electricity consumption charges but the tenants failed to pay the same. Finally, the Electricity Department disconnected the supply to the service Connection Nos.01-109-059-51 and 01-109-059-52 and they have dismantled the service connection on 08.10.2014, 01.10.2016 and 26.11.2016 respectively and the dues came up at Rs.7607.50. Thereafter, the petitioner paid the current consumption arrears.

4. The learned counsel for the petitioners further submitted that till date there is no arrears of current consumption charges payable to the Electricity Department and the consumption of electricity enjoyed by the other tenants in one Service Connection No.109-059-13, as a result, the petitioners are deprived of the slab system and the current consumption charges have come as high as Rs.18,830/-. In view of the same, the petitioner has given a representation to the respondent to provide two meters pertaining to Service Connection Nos.01-109-059-51 and 01-109-059-52. The learned counsel also submitted that the petitioners are willing to pay the actual dues towards current consumption charges instead of two service connection Nos.01-109-059-51 and 01-109-059-52 and therefore, a direction may be issued to the respondent to restore the electricity supply in respect of the service connection Nos.01-109-059-51 and 01-109-059-52.

5. The learned Standing Counsel appearing for the respondent submitted that the Service Connection Nos.01-109-059-51 and 01-109-059-52 were disconnected on 08.10.2014 for non-payment of current consumption charges for the month of September 2014. After disconnection of the aforementioned service connections, the petitioners have not made any effective steps to pay the pending current consumption charges to restore the above said two service connections.

6. This has been disputed by the learned counsel for the petitioners stating that till date the petitioners have paid all the dues payable to the respondent Department.

7. Recording the statement made by the learned counsel for the petitioners, this Court directs the respondent to restore the new electricity Service connection Nos.01-109-059-51 and 01-109-059-52 on payment of all the necessary charges. The petitioners are directed to make all the charges payable by them for getting new service connections within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to restore the new electricity Service connection Nos.01-109-059-51 and 01-109-059-52 to the petitioners' premises bearing Door No.16/24, Pedariar Koil Street, Chennai - 600 001, within a period of one week thereafter.

8. With this direction, the Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sri

To

The Assistant Engineer,
Seven Wells,
Tamil Nadu Electricity Distribution Circle [N],
Chennai - 600 0001.

+2 cc to M/s.D.Nellaiappan Advocate sr 24485
+1 cc to M/s.P.R.Dhilikumr Advocate sr 25358

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