IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P.No.29692 of 2018

C.K.Sathi ... Petitioner

Vs

1.The Superintending Engineer,
Ombudsman Committee,
33k.V. Thirumangalam Campus,
Anna Nagar, Chennai - 40.

2.The Assistant Engineer (O&M),
TANGEDCO,
Arumbakkam,
Chennai - 106.

3.Mumtaz

4.D.Murugan ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to restore the Electricity Service connection bearing No.164-045-370 based on petitioner's representation dated 03.10.2018.

For Petitioner : Mr.G.Srivenkatesh

For Respondents: Mr.P.R.Dhilip Kumar
Standing Counsel for TNEB
for R1 and R2

O R D E R

The prayer sought for herein is a writ of mandamus directing the first and second respondents to restore the Electricity Service connection bearing No.164-045-370 based on petitioner's representation dated 03.10.2018.

2.The case of the petitioner is that she is tenant in the premises at No.5/109, Dr.Ambetkar Street, Razzack Garden Road, Arumbakkam, Chennai, from September 2013. The original owner of the said house property was the fourth respondent who seem to have sold the same to the third respondent. Therefore, according to the petitioner, the tenancy attorned in favour of the third respondent.

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3.Every month, Rs.1,300/- is claimed to have been paid by the petitioner to the house owner for paying the electricity charges. However, on 20.09.2018, the second respondent approached the petitioner stating that, the electricity charge was not paid and therefore, they wanted to cut off the electricity. In this regard, notice was issued by the respondents TANGEDCO, i.e. the second respondent on 20.09.2018, directing the petitioner to pay the electricity due, within three days.

4.Even though the petitioner had already paid the amount to the house owner, who in turn seems to have not paid the same to the TANGEDCO, the electricity connection was cut off on 20.09.2018. In this regard, the learned counsel appearing for the petitioner submits that, the petitioner had given a representation on 03.10.2018 to the first respondent to consider the request and restore the electricity and if the said representation is directed to be considered and order to that effect is directed to be passed on merits within a time frame, that may be stipulated by this Court, the petitioner would be satisfied.

5.I have heard Mr.P.R.Dhilip Kumar, learned Standing Counsel for the respondents 1 and 2, who submits that, the said representation of the petitioner dated 03.10.2018 would be considered on merits and in accordance with law, including the follow up action, within a time frame that may be stipulated by this Court.

6.Since no adverse order to be passed herein against the respondents 3 and 4, notices to the third and fourth respondents are dispensed with.

7.Taking into account the circumstances of the case and the innocuous nature of the prayer sought for by the petitioner, this writ petition is disposed of with the following direction.

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8.The first and second respondents shall consider the representation of the petitioner dated 03.10.2018 and pass orders thereon on merits and in accordance with law, including follow up action with regard to the restoration of electricity to the petitioner's house, of course, after giving opportunity of being heard, to the petitioner as well as the third and fourth respondents and for the said purpose, notice has to be issued to the third and fourth respondents by the first and second respondents. The needful shall be done by the official respondents within a period of four weeks from the date of receipt of a copy of this order.

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9.With these directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mkn

To

1.The Superintending Engineer,
Ombudsman Committee,
33k.V. Thirumangalam Campus,
Anna Nagar, Chennai - 40.

2.The Assistant Engineer (O&M),
TANGEDCO,
Arumbakkam,
Chennai - 106.

+ 1 cc to Mr. G. Srivenkatesh, Advocate Sr.77228

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PP(CO)
EU(16/11/2018)

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