

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P.No.29697 of 2018

Kadher Bhasha

... Petitioner

Vs

1.The Superintending Engineer,
Tamilnadu Electricity Board,
Thiruvannamalai,
Thiruvannamalai District.

2.The Executive Engineer,
Tamilnadu Electricity Board,
Vandavasi, Vandavasi Taluk,
Thiruvannamalai District - 604 408.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents to provide electricity supply connection to the petitioner's residential house at No.587, Bakeer Thakka Street, Vengunam, Vandavasi Taluk, Thiruvannamalai District, after receiving necessary charges from the petitioner for the same based on his representation dated 10.10.2018.

For Petitioner : Mr.R.Bakayaraj

For Respondents : Mr.M.Varun Kumar
Standing Counsel for TNEB

O R D E R

The prayer sought for herein is a writ of mandamus directing the respondents to provide electricity supply connection to the petitioner's residential house at No.587, Bakeer Thakka Street, Vengunam, Vandavasi Taluk, Thiruvannamalai District, after receiving necessary charges from the petitioner for the same, based on his representation dated 10.10.2018.

2.Heard, Mr.R.Bakyaraj, learned counsel for the petitioner and Mr.M.Varun Kumar, learned Standing Counsel for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner is the resident of house property at No.587, Bakeer Thakka Street, Vengunam, Vandavasi Taluk, Thiruvannamalai District, which, according to the petitioner, is the property belonging to Syed Meersha Ussaini Avuliya Dharka Committee.

4.The learned counsel would submit that, the petitioner had paid property tax and also water tax to the local panchayat and the Central Government Aadhar card is also given to the petitioner in the said address. By relying upon these documents, the learned counsel for the petitioner would submit that, the petitioner is the resident of the said building in the address set out above, as lessee, and in that capacity, requested the respondent TANGEDCO for effecting service connection, which has not been considered so far.

5.Therefore, in this regard, the petitioner counsel submits that representation dated 10.10.2018 has been given to the second respondent and if the said representation is directed to be considered and an order to that effect is directed to be passed on merits within a time frame, the petitioner would be satisfied.

6.I have heard Mr.M.Varun Kumar, learned Standing Counsel for the respondents, who submitted that, the petitioner has made a representation seeking for electricity service connection, but, he has not stated, whether he is the owner of the property or lessee of the property and in no capacity, since he claims service connection, the same cannot be extended to him.

7.I have heard the said submissions of the learned counsel for the petitioner as well as the learned Standing Counsel for the respondents. Though, such a representation was made by the petitioner on 10.10.2018, it seems, that has not been disposed of and the reasoning now set out by the learned Standing Counsel for the respondents has not been reflected by any order passed in this regard, as so far, no order has been passed.

8.Therefore, without going into the merits of the claim made by the petitioner about the entitlement to seek for a service connection, this Court is inclined to dispose of this writ petition with the following direction.

9.The respondents, especially the 2nd respondent, is directed to consider and pass orders on the representation of the petitioner dated 10.10.2018 on merits and in accordance with law and in this regard, if needed, the owner of the property namely Syed Meersha Ussaini Avuliya Dharka Committee can also be heard and accordingly, decision can be taken and an order to that effect on the representation of the petitioner, as stated above, shall be passed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mkn/ssr
To

- 1.The Superintending Engineer,
Tamilnadu Electricity Board,
Thiruvannamalai,
Thiruvannamalai District.
- 2.The Executive Engineer,
Tamilnadu Electricity Board,
Vandavasi, Vandavasi Taluk,
Thiruvannamalai District - 604 408.

+1cc to Mr.M.Varunkumar, Advocate Sr.77641

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srg 16/11/2018