

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29934 of 2018

Ramachandran

..Petitioner

vs

1.Tamil Nadu Generation and  
Distribution Corporation Limited,  
Rep.by its Managing Director,  
144, Anna Salai, Chennai - 600 002.

2.The Executive Engineer,  
Tamil Nadu Generation and  
Distribution and Corporation Limited,  
Tirumazhisai,  
Pincode - 600 124.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the  
Constitution of India praying to issue a Writ of Mandamus,  
Directing the 2nd respondent to restore the electricity to SF.  
94/4-5Hp situated at 53 Vyasapuram Village in Tiruttani  
Taluk , Thiruvallur District.

For Petitioner :Mr.V.Lakshminarayanan

For Respondents:Mr.S.K.Rameshwar, Standing counsel  
for TNEB for R1 & R2

O R D E R

The relief sought for in the present writ petition is for a  
direction to direct the the 2nd respondent to restore the  
electricity to SF. 94/4-5Hp situated at 53, Vyasapuram  
Village in Tiruttani Taluk, Thiruvallur District.

2.The grievances of the writ petitioner is that he is in  
possession and enjoyment of the property situated at 53,  
Vyasapuram Village in Tiruttani Taluk. The family of the writ  
petitioner owns around 7 Acres of agricultural land in

learned counsel appearing on behalf of the writ petitioner is a senior citizen, 87 years of age. Apart from this, the Electricity service connection was disconnected during the year 2010 on a turn of turn basis for the purpose of irrigation. The petitioner is a senior citizen.

learned counsel appearing on behalf of the writ petitioner, submitted the notice of this Court that as per the Tamil Nadu Electricity Supply Code 2004, the provision of electricity is provided in Chapter 3, Section 6(i), which reads as follows:

(i) When a service connection remains disconnected for a period of more than 12 months, if the consumer comes forward and pays the actual dues and charges in clause (ii) below, the Licensee may grant extension of service period and revoke the termination order. The Licensee shall ensure that the lines feeding the service connection are not dismantled, so as to facilitate reconnection of service.

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Period for reconnection of

learned counsel appearing on behalf of the  
the notice of this Court that as per the  
Tamilnadu Electricity Supply Code 2004, the  
of electricity is provided in Chapter 3  
to clause 6(i), which reads as follows:  
(i) When a service connection remains discon-  
nected of electricity charges beyond the no-  
tified period of three months, if the consumer comes forward  
within the period mentioned below to pay the actual dues and  
the charges in clause (ii) below, the  
Licensee may grant extension of  
the service period and revoke the termination order  
on condition that the lines feeding the service connec-  
tion be dismantled, so as to facilitate reconnection  
of service.

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Period for reconnection of

When a service connection remains disconnected of electricity charges beyond the no months, if the consumer comes forward mentioned below to pay the actual dues and the charges in clause (ii) below, then the Licensee may grant extension of service period and revoke the termination order that the lines feeding the service connection be dismantled, so as to facilitate reconnected service.

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Period for reconnection of

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Period for reconnection of

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consumers Within two years from

-----HT consumers  
 e years from the date of Disconnection  
 tural consumers -do-  
 onsumers Within two years from

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disconnected in the year 2010. The writ petitioner is not having the agricultural Electricity service connection from the year 1984 onwards. Therefore, the writ petitioner has to submit a fresh application for providing Electricity service connection for agricultural purposes under the provisions of the Electricity Supply Code. The restoration of old service connection cannot be done in view of the conditions stipulated in Clause 22 of the Electricity Supply Code. The time limit fixed for restoration is five years from the date of disconnection as the Electricity service connection was disconnected in respect of the agricultural lands belongs to the writ petitioner during the year 1984 itself, is not entitled for restoration of Electricity service connection. However, the petitioner is eligible to submit a fresh application for providing Electricity service connection for agricultural purposes and in the event of receiving any such application, the same will be considered in accordance with the provisions of the Electricity Supply Code.

6.The learned counsel for the writ petitioner states that the writ petitioner is already 87 years old and senior citizen and his case is to be considered by priority.

7.This Court is of an opinion that there may be several such senior citizens, who are similarly placed and waiting for such Electricity service connection for agricultural purposes. Therefore, this Court cannot issue any direction to by-pass the seniority with reference to the particular category as per the rules and the procedures followed by the respondent Board. If there is any priority available for the senior citizen, the same shall be extended to the writ petitioner, while considering his application, if any submitted for the purpose of providing Electricity service connection for agricultural usage.

8.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

To

1.The Managing Director,  
Tamil Nadu Generation and  
Distribution Corporation Limited,  
144, Anna Salai, Chennai - 600 002.

2.The Executive Engineer,  
Tamil Nadu Generation and  
Distribution and Corporation Limited,  
Tirumazhisai,  
Pincode - 600 124.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.80736

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.80751

W.P.No.29934 of 2018

VD(CO)  
GSP(12/12/2018)



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