

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.12.2018

CORAM

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

W.P.No.34215 of 2018
and
W.M.P.No.39751 of 2018

Mrs.Fathima Chandani

... Petitioner

--vs--

- 1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai - 600 012.
- 2.The Assistant Executive Engineer (O&M),
TNEB (TANGEDCO),
Chennai-North Region,
Central Circle,
Kilpauk,
Chennai - 600 007.
- 3.The Assistant Engineer (O&M),
TNEB (TANGEDCO),
Chennai-North Region,
Chennai Circle,
Purasawalkam,
Chennai - 600 007.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, for directing the third respondent to issue additional independent electricity meter in the name of the petitioner.

For Petitioner : Mr.R.Syed Mustafa
for Mr.K.P.Jotheeswaran

For Respondents: Mr.P.R.Dhilip Kumar,
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 third respondent to issue

additional independent electricity meter in the name of the petitioner.

2. The learned counsel for the writ petitioner states that the writ petitioner had purchased a flat on 24.12.2013 vide registered sale deed in Document No.5073 of 2013 registered before the Sub-Registrar office at Purasawalkam. Though the writ petitioner had purchased the flat during the year 2013, the electricity service connection was provided initially in the name of the builder and the name transfer is yet to be effected.

3. Under these circumstances, the writ petitioner submitted an application seeking the electricity service connection in her name and to provide a meter. The said application has not been considered by the respondents. Thus, the writ petitioner is constrained to move the present writ petition.

4. The learned Standing Counsel for the respondent-Electricity Board, opposed the contentions of the learned counsel for the writ petitioner, by stating that the writ petitioner has to execute an Indemnity Bond by producing all the requisite documents for the purpose of providing a separate electricity service connection.

5. Considering the submissions, this Court is of an opinion that the writ petitioner had purchased the flat during the year 2013. Even in case of any dispute between the builder and the purchaser, the Electricity Board can provide electricity service connection under Clause 27 (4) of the Tamil Nadu Electricity Distribution Code.

6. In the present case, there is no such dispute in existence and admittedly, the writ petitioner was the purchaser of the flat from the builder. Thus, the application of the writ petitioner is to be considered by obtaining an Indemnity Bond under Clause 27 (4) of the Tamil Nadu Electricity Distribution Code.

7. In this view of the matter, the respondents are directed to consider the application submitted by the writ petitioner by obtaining an Indemnity Bond and provide electricity service connection in the premises of the writ petitioner if she is otherwise eligible in accordance with the rules, within a period of 4 weeks from the date of receipt of a copy of this order.

8. Accordingly, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai - 600 012.
- 2.The Assistant Executive Engineer (O&M),
TNEB (TANGEDCO),
Chennai-North Region,
Central Circle,
Kilpauk,
Chennai - 600 007.
- 3.The Assistant Engineer (O&M),
TNEB (TANGEDCO),
Chennai-North Region,
Chennai Circle,
Purasawalkam,
Chennai - 600 007.

+1cc to Mr.P.R.Dhilipkumar, Advocate Sr.89068
+1cc to Mr.K.P.Jotheeswaran, Advocate Sr.88896

WEB COPY

W.P.No.34215 of 2018

ad[co]
srg 25/01/2019