

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10784 of 2019

and

WMP No.11256 of 2019

N.Amala

..

Petitioner

-vs-

1. Tamil Nadu Electricity Board
represented by its Chairman
and Managing Director
Electricity Avenue
No.800, Anna Salai
Chennai 600 002
2. The Superintending Engineer
Tamil Nadu Electricity Board
Salem Main Road
Krishnagiri, Krishnagiri District
3. The Executive Engineer
Tamil Nadu Electricity Board
Sipcot, Hosur
4. The Assistant Engineer
Tamil Nadu Electricity Board
Sipcot, Hosur
5. The Assistant Account Officer
Tamil Nadu Electricity Board
Sipcot, Hosur
Krishnagiri

.. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
second respondent to dispose the Appeal filed by the petitioner
on 7.3.2019.

For Petitioner

::

Mr.M.D.Thirunavukkarasu

For Respondents

::

Mr.M.Varunkumar
Standing Counsel

ORDER

This writ petition has been filed seeking a mandamus directing the Superintending Engineer, Tamil Nadu Electricity Board, Krishnagiri to dispose of the pending appeal filed against the order dated 26.9.2015 bearing letter No.AE/O&M/Sipcot-II/Hosur/Ko.Va.Pe/A.No.127 passed by the Assistant Engineer, Tamil Nadu Electricity Board, SIPCOT, Hosur. It is the claim of the petitioner that over the past 12 years, the petitioner has been supplying drinking water to the colleges, hospitals and residential areas on contract basis in the Hosur town by using the commercial electricity service connection No.066-019-495 and also paying the electricity charges without fail. Since the petitioner's meter was not properly functioning, to rectify the faulty meter, an application has been made to the respondents. But no action was taken. Therefore, she has preferred an appeal.

2. In the affidavit filed in support of the writ petition, the petitioner has stated that the respondent, vide order dated 26.09.2015, directed her to pay a sum of Rs.10,52,055/- towards arrears of electricity charges within three months, failing which, they would cancel her electricity service connection and would take further steps to recover the amount through civil proceedings. As against that, the petitioner had filed a Writ Petition No.7387 of 2015 and this Court, vide order dated 29.02.2016, directed the petitioner to pay a sum of Rs.3,50,000/-. Aggrieved by the same, when Writ Appeal No.2075 of 2018 was filed, the same was also dismissed by this Court on 10.10.2018. But, in the affidavit, nowhere it is mentioned that the earlier order passed by this Court in W.P.No.7387 of 2015, dated 29.02.2016, directing the petitioner to pay Rs.3,50,000/- has been complied with. Therefore, in such view of the matter, this Court is not inclined to entertain the writ petition and accordingly, it is dismissed as devoid of any merit. Consequently, W.M.P.No.11256 of 2019 is also dismissed. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

ss

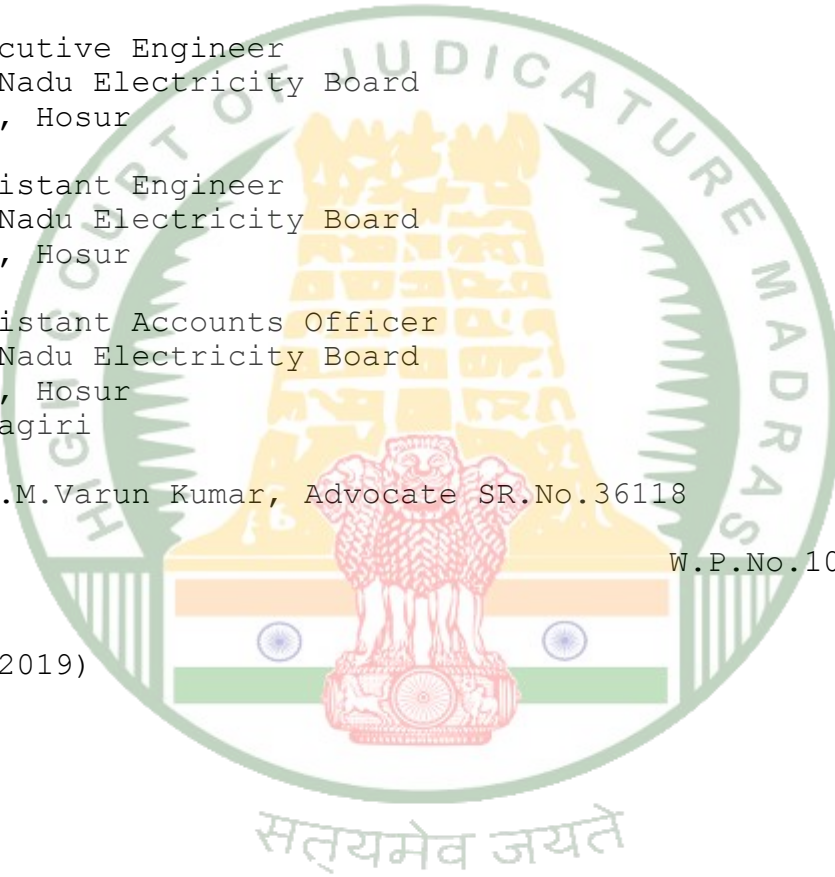
To

1. The Chairman and Managing Director
Tamil Nadu Electricity Board
Electricity Avenue
No.800, Anna Salai
Chennai 600 002
2. The Superintending Engineer
Tamil Nadu Electricity Board
Salem Main Road
Krishnagiri, Krishnagiri District
3. The Executive Engineer
Tamil Nadu Electricity Board
Sipcot, Hosur
4. The Assistant Engineer
Tamil Nadu Electricity Board
Sipcot, Hosur
5. The Assistant Accounts Officer
Tamil Nadu Electricity Board
Sipcot, Hosur
Krishnagiri

+1cc to Mr.M.Varun Kumar, Advocate SR.No.36118

W.P.No.10784 of 2019

LN(CO)
GMY(22/05/2019)



WEB COPY