

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2019

CORAM

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.12971 of 2019

R.Malini

...Petitioner

Vs.

1.The Tamil Nadu State Electricity Board
rep. by its Chairman,
10th Floor, N.P.K.K.R.Maligai,
144 Anna Salai, Chennai-600 002.

2.The Assistant Engineer(O&M)
Tamilnadu Electricity Board,
Lakshmipuram, TANGEDCO/CEDC/NORTH
Chennai-600 099.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to provide electricity connection (domestic purpose) to the petitioner's premises viz., Plot No.116, 2nd Street, Bharath Rajiv Gandhi Nagar, Kolathur, Chennai-600 099, based on her application dated 01.04.2019.

For Petitioner : Mr.S.P. Sudalaiyandi

For Respondents : Mr.P.R.Dhilipkumar,
Standing Counsel for Electricity Board

ORDER

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the respondent to provide electricity connection (domestic purpose) to her premises viz., Plot No.116, 2nd Street, Bharath Rajiv Gandhi Nagar, Kolathur, Chennai-600 099, based on her application dated 01.04.2019.

2. The case of the petitioner is that one P.Selvamani was the original owner for an extent of 3.85 Acre comprised in S.Nos.13 and 14(Part), situated at Kulathur Village and Taluk. Thereafter, the said Selvamani had plotted out the said property in the name and style of Bharath Rajiv Gandhi Nagar, in which the petitioner's father, viz., M.Rajagopal had purchased one plot bearing no.116 of an extent of 880 sq.ft., vide unregistered sale deed dated 30.01.2013 . After the purchase, the petitioner's father had put up a thatched house and paid necessary property tax, obtained water and sewerage connection. Thereafter, he was in absolute possession of the said property. Subsequent to the death of petitioner's father, the petitioner submitted an application dated 01.04.2019 to the 2nd Respondent with an indemnity bond and other documents for grant of electricity connection to her house for domestic use. However, till date, no action has been

initiated, aggrieved against the same, the present Writ Petition is filed.

3. The learned counsel for the petitioner would submit that while dealing with the similar issue in W.P.Nos.27924 of 2018 and 4943 of 2019 on 20.12.2018 and 07.03.2019 respectively, this Court, had entertained the said writ petitions and Paragraph No.7 in W.P.No.27924 of 2018 is extracted hereunder:

'7. Accordingly, the following orders are passed:

(i) The impugned order passed by the 2nd Respondent in Lr.No.Oo.Se.Po/E.Pa/Sembium/ Ko.Thani/ A/17 dated 20.06.2017 is quashed.

(ii) The respondents 1 & 2 are directed to provide domestic electricity service connection to the premises of the Writ petitioner by obtaining an indemnity bond and undertaking as required under Clause 27(4) of the Tamilnadu Electricity Distribution Code, within a period of four (4) weeks from the date of receipt of a copy of the order.

(iii) It is made clear that the respondents 1 and 2 are bound to verify other eligibility criterias of the writ petitioner in respect of providing the electricity service connection in the premises.'

4. The learned counsel for the petitioner also submitted that

the petitioner is ready to submit / execute Indemnified bond including necessary documents, viz., property tax receipts and water tax receipts etc.,

5. Heard the learned counsel on either side and perused the documents available on record.

6. Considering the facts and circumstances of the case, the submissions on either side and taking note of the earlier order passed by this Court in W.P.Nos.27924 of 2018 and 4943 of 2019 dated 20.12.2018 and 07.03.2019 respectively and the fact that the petitioner is willing to submit / execute Indemnified bond including necessary documents, viz., property tax receipts and water tax receipts etc., this Court is of the view that the benefits of the similar order to the petitioners therein in W.P.Nos.27924 of 2018 and 4943 of 2019, shall be extended to this petitioner also.

7. Accordingly, this Writ Petition stands disposed of in the same lines, viz., by directing the respondents 1 & 2 to provide domestic electricity service connection to the premises of the Writ petitioner by obtaining an indemnity bond and undertaking as required

under Clause 27(4) of the Tamilnadu Electricity Distribution Code, within a period of four (4) weeks from the date of receipt of a copy of the order. It is made clear that the respondents 1 and 2 are bound to verify other eligibility criterias of the writ petitioner in respect of providing the electricity service connection in the premises. No costs.

06.06.2019

Index: Yes/No
Internet : Yes/No

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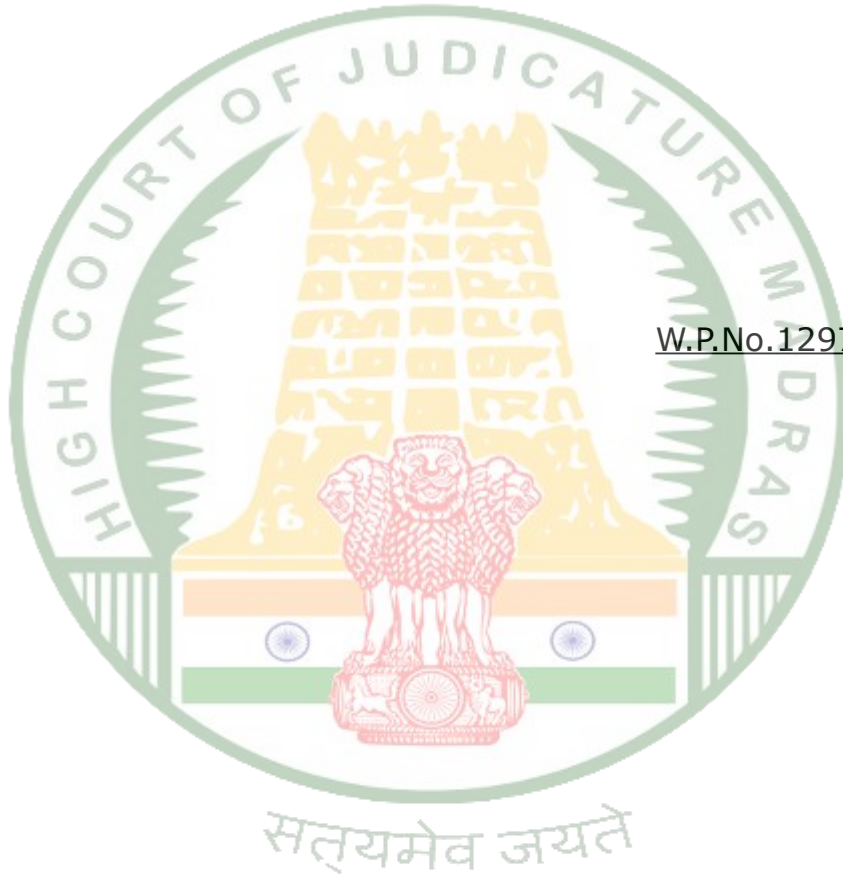
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M.DHANDAPANI, J.

ssd



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