

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE DR.G.JAYACHANDRAN

W.P.No.1548 of 2018 and
W.M.P.No.1952 of 2018

N.C.Krishnan

... Petitioner

Vs.

1.The Executive Engineer(O&M),
TANGEDCO,
K.K.Nagar,
Chennai - 600 078

2.The Assistant Divisional Engineer,
TANGEDCO,
Nanganallur,
Chennai - 600 061

3.Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first and second respondents to consider, process and effect domestic electricity service connection on the application vide No.244-07/16-1073 and 244-07/2016-1074 dated 14.07.2016 and 04.08.2016 to the stilt and first floor flats belonging to the petitioner at Plot No.C44, 40th Street, Nanganallur, Chennai-600061, in accordance with law more particularly without insisting on production of completion certificate/No objection certificate from the third respondent.

For Petitioner : Mr.Sachudhanandan

For R1 and R2 : Mr.S.K.Rameshwar,
Standing Counsel

For R3 : Mr.P.Tamilmani

ORDER

The counsel for the petitioner reports that he has given consent for change of counsel and he is no more counsel for the petitioner.

2. The allegation of the petitioner herein is that he appointed one ARR Construction, Chennai Private Limited represented by its Managing Director to develop the land settled in his father by his father. The General Power of Attorney was also executed by him. When he applied for permanent domestic service connection for electricity supply with the second respondent in respect of first floor flats, the second respondent refused to give service connection for want of completion certificate which has to be issued by the third respondent. Even after assuring that he will give undertaking that he will restrict the service connection in respect of the first floor alone, the second respondent is not inclined to accept the undertaking and provide EB connection. Hence, the present writ petition has been filed seeking mandamus directing the respondents 1 and 2 to process the application dated 14.07.2016 and 04.08.2016 and provide service connection to the first floor flats.

3. The request of the petitioner herein cannot be considered unless the petitioner produce document that the building construction is completed. Once, the petitioner gets the completion certificate, he can seek for permanent service connection. Till then he is only entitled to temporary service connection. Hence, the writ petition is disposed of with liberty to the petitioner to seek for temporary connection till he completes the construction. Consequently, connected miscellaneous petition is closed. No costs.

s/d-

Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

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To

1. The Executive Engineer (O&M),
TANGEDCO,
K.K. Nagar,
Chennai - 600 078

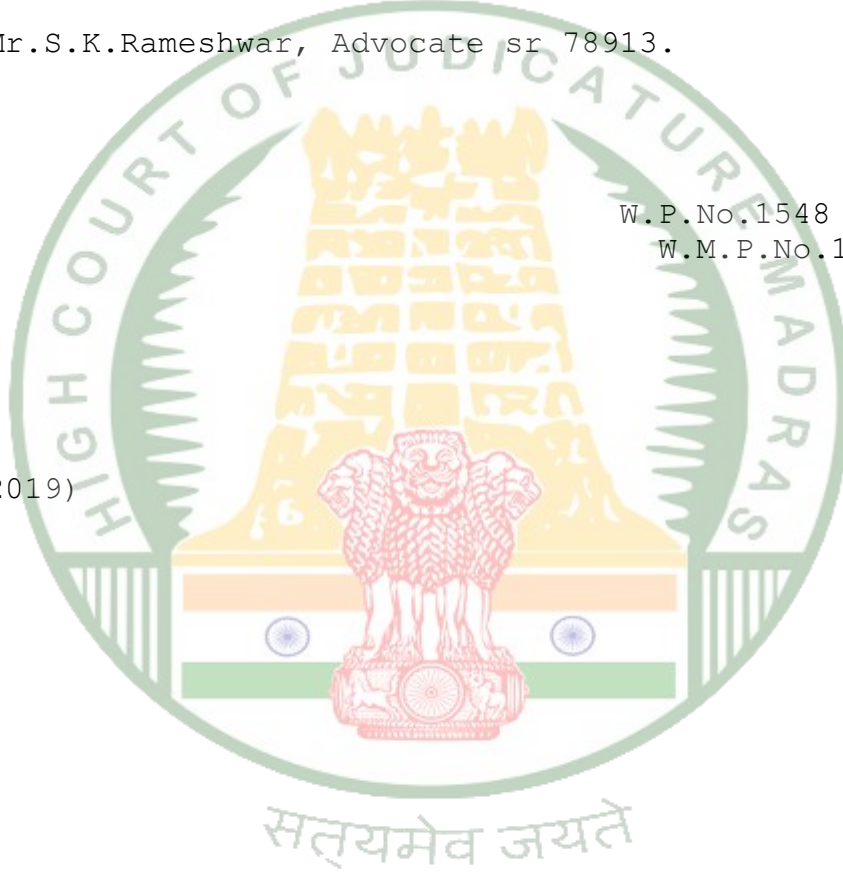
2.The Assistant Divisional Engineer,
TANGEDCO,
Nanganallur,
Chennai - 600 061

3.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008

+1 CC to Mr.S.K.Rameshwar, Advocate sr 78913.

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MR (CO)
SP (24/10/2019)



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