



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.08.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.18480 of 2019

S.Manivannan,
S/o.Subramaniyan,
No.3, Gandhi Street,
Old Thirumangalam,
Anna Nagar, Chennai - 600 040.

... Petitioner

/verus/

1. The Assistant Engineer (A.E),
Tamil Nadu Electricity Board, (TANGEDCO),
Thirumangalam, Anna Nagar,
Chennai - 600 040.

2. K.Jayashankar,
S/o.Kasi,
No.3, Gandhi Street,
Old Thirumangalam,
Anna Nagar, Chennai - 600 040.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 1st Respondent to consider the Petitioner Application dated 25.05.2019, pending on the file of the 1st respondent and thereby direct the 1st respondent to give new service connection to the petitioner house situated at No.3, Gandhi Street, Old Thirumangalam, Anna Nagar, Chennai - 600 040.

For Petitioner : Mr.C.V.Kumar

For R1 : Mr.P.R.Dhilip Kumar

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Counsel for the 1st respondent.

2. The Petitioner herein is a tenant under one Jayahankar, who is the 2nd respondent herein. When the

application by the petitioner seeking Electricity Service Connection sought for, the 1st respondent has not considered the application in respect of furnishing Indemnity Bond as contemplated under Regulation 27(d) of the Tamil Nadu Electricity Distribution Code. Hence, the present Writ Petition is filed.

3. The Learned Counsel appearing for the 1st respondent would submit that when the objections has been raised by the 2nd respondent/landlord for given service connection to the petitioner and hence the application could not be entertained. Therefore, this Court directed the 1st respondent to cause notice to the petitioner as well as the 2nd respondent to conduct enquiry and pass appropriate orders on the application of the petitioner.

4. The Learned Standing Counsel for the 1st respondent would submit that, the enquiry notice was caused both to the petitioner as well as 2nd respondent. Only the petitioner attended the enquiry and the 2nd respondent has not turned up. In such circumstances, it is submitted that the 1st respondent is unable to pass any final order. Recording the same, the Writ Petition is disposed of, with the following direction.

(i). The 1st respondent shall once again cause notice to the petitioner as well as the 2nd respondent for enquiry to be held on 20.08.2019. After considering the submissions of the parties, if any, appropriate orders shall be passed, taking into the account of Regulation 27(d) of the Tamil Nadu Electricity Distribution Code.

5. With the above direction, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

To

The Assistant Engineer (A.E),
Tamil Nadu Electricity Board, (TANGEDCO),
Thirumangalam, Anna Nagar,
Chennai - 600 040.

+1 CC to Mr.P.R.Dhilip Kumar, Advocate sr 67650.

+1 CC to Mr.C.V.Kumar, Advocate sr.67771(09/08/2019)

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RK(CO)
SP(08/08/2019)