

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.20845 of 2019
and
W.M.P.No.20050 of 2019

K.Shanmugam

.. Petitioner

/versus/

1.The Tamil Nadu State Electricity Board,
Represented by its Chairman,
10th Floor, N.P.K.K.R. Maligai,
No.144, Anna Salai, Chennai 600 002.

2.The Assistant Engineer(O&M),
Tamil Nadu Electricity Board,
Kathirvedu, TANGEDCO/CEDC/NORTH,
Puzhal, Chennai 600 066.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to provide electricity connection (domestic purpose) to the petitioner's residence viz., No.21,22 Kurunji Nagar, Vikneshwara Nagar, Puthagaram, Chennai 600 099, based on the petitioner's application dated Nil.

For Petitioner :Mr.S.Ilamvaludhi

For Respondents :Mr.P.R.Dhilip Kumar, st.c.

O R D E R

By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard Mr.S.Ilamvaludhi, learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned Standing Counsel, who takes notice on behalf of the respondents.

3.The prayer in the writ petition is to issue a Writ of Mandamus directing the respondents to provide electricity connection (domestic purpose) to the petitioner's residence viz., No.21,22 Kurunji Nagar, Vikneshwara Nagar, Puthagaram, Chennai 600 099, based on the petitioner's application, dated Nil.

4.The petitioner herein, who is residing in a poromboke land sought for electricity connection, relying upon Clause 27 (4) of the Tamil Nadu Electricity Distribution Code, 2004.

5.The learned Standing Counsel appearing for the respondents would submit that being a Government poromboke land, the petitioner has to get 'No Objection Certificate' from the Revenue Authority, as per the Clause 27(12) of the Tamil Nadu Electricity Distribution Code, 2004. Mere indemnity bond under Clause 27(4) of the Tamil Nadu Electricity Distribution Code, 2004 is not sufficient.

6. If that is so, the respondents ought to have intimated to the petitioner about the legal position. In any event, the petitioner herein is directed to get "No Objection Certificate" from the Revenue Authority and make suitable application to the second respondent. On receipt of such application, the second respondent shall pass appropriate orders in accordance with law.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Chairman,
The Tamil Nadu State Electricity Board,
10th Floor, N.P.K.K.R. Maligai,
No.144, Anna Salai, Chennai 600 002.

2.The Assistant Engineer(O&M),
Tamil Nadu Electricity Board,
Kathirvedu, TANGEDCO/CEDC/NORTH,
Puzhal, Chennai 600 066.

+1cc to Mr.S.Ilamvaludhi, Advocate, S.R.No. 60142

W.P.No.20845 of 2019

and

W.M.P.No.20050 of 2019

NMI (CO)
GN(07/08/2019)