



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.09.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.27933 of 2019

R.Saraswathi,
W/o.Late M.Rangasamy,
No.14, P.V.Koil Street, Saidapet,
Chennai - 600 015.

... Petitioner

/versus/

The Assistant Engineer (Operation and Maintenance),
Saidapet East, Chennai Electricity Distribution Circle,
TANGEDCO, Chennai - 600 015.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned order issued by the respondent dated 10.09.2019 in Na.Ka.No./AE/O&M/Saidai/East/File No./Consumer/A.No.251 and to quash the same and consequently direct the respondent to provide electricity connection to the shop of the petitioner in a portion of the premises bearing Door No.14, V.V.Koil Street, Saidapet, Chennai - 600 015 and pass such orders.

For Petitioner : Mr.K.N.Nataraj

For Respondent : Mr.P.R.Dhilip Kumar
Standing Counsel

O R D E R

Heard the Learned Counsel for the petitioner and the Learned Standing Counsel for the respondent.

2. The petitioner herein is a tenant under one D.Udhaya Kumar, in the building bearing No.14, Varasathi Vinayagar Koil Street, Saidapet. Due to deviation in the construction, the Corporation Officials have sealed a portion of the said building. Unfortunately, the Electrical meter of the building is inside the sealed portion. Hence, the petitioner is unable to continue the service connection, which has badly affected his trade. Hence, he has made representation to the respondent herein to provide temporary service connection to his shop. On receipt of his representation, the respondent has issued letter on 10.09.2019 informing the petitioner that there can only one service connection for a building. Already for the building, service connection been given to D.Udhayakumar and the meters affixed for consumption of electricity would not be assessed due to the closure of part of the building by the Corporation Authority. Hence, request for providing temporary service connection to the shop of the petitioner cannot be considered. Against this order, the present Writ Petition is filed to quash the communication dated 10.09.2019 and direct the respondent to provide service connection.

3. After notice, based on the instruction given by the respondent submits that in view of the extraordinary situation which has occurred in the premise of the petitioner, if the petitioner wants service connection for the portion of the building in which he is a tenant, he has to give an affidavit of undertaking that she will bear the cost for fixing meter and pay consumption charges. In addition, she should indemnify to pay the bill for the current consumed by her in Service connection No.207-025-143.

4. Recording the said submission made by the respondent counsel, the Writ Petition is disposed of with the following directions.

(i). The petitioner herein shall make fresh application for service connection in her name for the portion under her tenancy along with requisite documents.

(ii). A separate affidavit of undertaking to pay the consumption charges calibrate in the meter for service connection No.207-025-143 as and when demanded to be given.

(iii). Any other document necessary to provide service connection shall be furnished by the petitioner along with

necessary fees. On such payment, the respondent shall consider the same and provide electricity service connection as early as possible.

5. With the above direction, the Writ Petition is disposed of. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

bsm
To,

1.The Assistant Engineer (Operation and Maintenance),
Saidapet East, Chennai Electricity Distribution Circle,
TANGEDCO, Chennai - 600 015.

+2cc to Mr.K.N.Nataraj, Advocate SR.82860/19
+1cc to Mr.P.R.Dhilikumar, Advocate SR.82960/19

RJI (CO)
CB(01/10/2019)

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सत्यमेव जयते
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