



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.11.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.29690 of 2019

Mrs.R.Uma Maheswari,
W/o.R.Ramesh,
Old No.12, New Door No.6,
Madam Second Lane,
Dr.Alagappa Road, Purasaiwakkam,
Chennai - 600 089.

... Petitioner

/versus/

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.

2. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Kellys, Chennai.

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondents herein to provide separate electricity service connection to the petitioners ground floor premises situated at Old No.12, New Door No.6, Madam Second Land, Dr.Alagappa Road, Purasaiwakkam, Chennai - 600 089 expeditiously by the respondent herein.

For Petitioner : Mr.K.Desingh

For R1 & R2 : Mr.P.R.Dhilip Kumar,
Standing Counsel

ORDER

Heard the Learned Counsel for the Petitioner and the Learned Standing Counsel for the Respondents 1 & 2.

2. The Writ Petition is filed by a tenant seeking separate electricity service connection from the respondent.

3. From the affidavit, this Court finds that the premises in which the petitioner is occupying by one K.Kannan, who is no more. After his demise, according to the petitioner, she has entered into a rental agreement with Mr.Gopal. Admittedly, they are other legal heirs, who left behind by the said Kannan. Hence, the respondents are insisting upon 'No Objection' from the legal heirs for obtaining separate service connection to the premises, in which the petitioner is not owner. The petitioner herein, has not so far given any 'No objection' of the legal heirs but she has approached this Court seeking Mandamus, directing the respondents herein to provide separate electricity service connection to the petitioner's ground floor premises situated at Old Door No.12, New Door No.6, Madam Second Lane, Dr.Alagappa Road, Purasaiwakkam, Chennai - 600 089.

4. Clause 27(4) of Tamil Nadu Electricity Distribution Code provides as follow:-

(4) An intending consumer who is not the owner of the premises he occupies shall produce a consent letter in Form 5 of Annexure III to this code from the owner of the premises for availing the supply. If the owner is not available or he refuse to give consent letter, the intending consumer shall produce proof of his/her being in lawful occupation of the premises and also execute an indemnity bond in Form 6 of the Annexure III to this code indemnifying the licensee against any loss on account of disputes arising out off effecting service connection to the occupant and acceptance to pay security deposit twice the normal rate.

5. Here is the case where the petitioner neither furnished 'No Objection' to the respondents nor expressed its difficulty to get 'No Objection' from the legal heirs of the deceased Mr.Kannan and offer Indemnity Bond.

6. In such circumstances, this Court is not inclined to entertain this Writ Petition. It is for the petitioner to approach the respondents with all necessary documents, for seeking Electricity service connection, as per the Tamil Nadu Electricity Distribution code and get service connection if she is entitled.

7. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

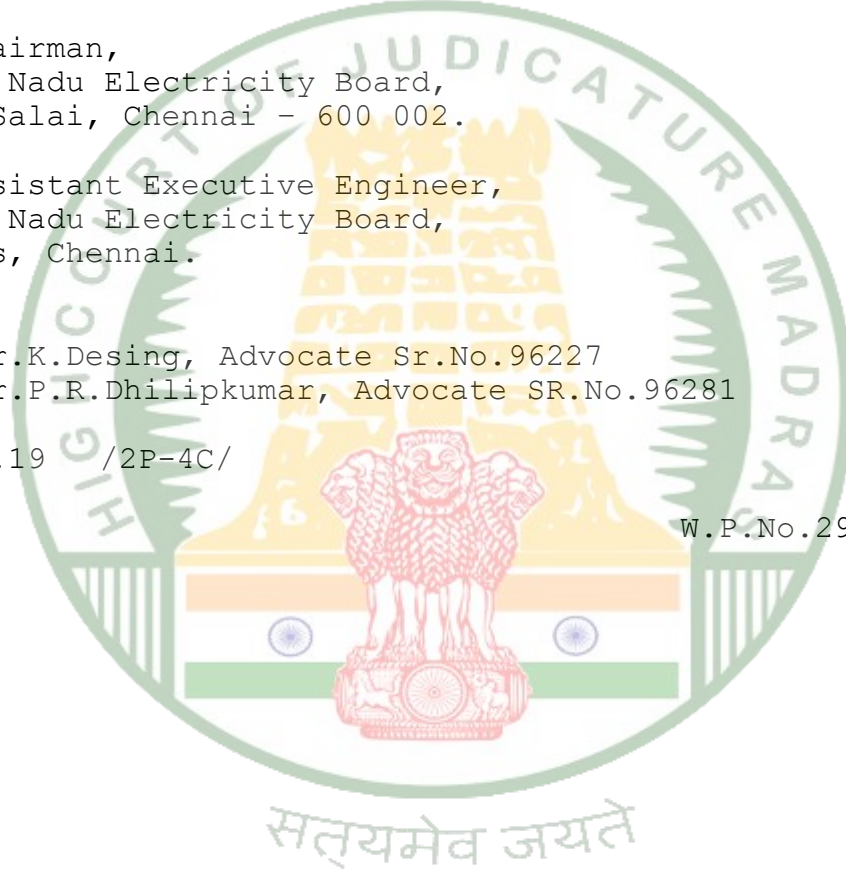
To

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
2. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Kellys, Chennai.

+1cc to Mr.K.Desing, Advocate Sr.No.96227
+1cc to Mr.P.R.Dhilipkumar, Advocate SR.No.96281

AKM/16.12.19 /2P-4C/

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