



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.12.2019
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 34569 of 2019
and
WMP.No.35283 of 2019

Nestaway Technologies Private limited,
Rep by its Regional Manager,
3/331, 3A, 3rd floor, Alkasha Center,
Thoraipakkam, OMR,
Chennai - 97.

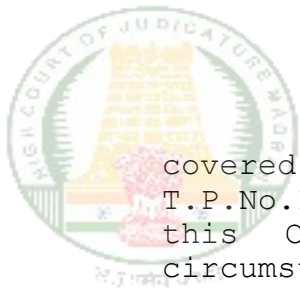
... Petitioner

Vs.

1. TANGEDCO
represented by its Chairman & Managing Director,
No.144, Anna Salai,
Chennai.
2. Superintending Engineer
TANGEDCO
Chennai South electricity Distribution Circle,
Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.
3. The Assistant Executive Engineer
TANGEDCO
Chennai South electricity Distribution Circle,
Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.
4. Madhan Karthi
5. Usha Sitharaman
6. A.K.Jeyaprakash
7. Letha Alil Valayutham
'Hemalatha' West Nada,
Guruvayur, Kerala - 680 101.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus for bearing the respondents 1 to 3 their men and agents from in any manner seeking to treat the electricity service connections in the apartments in occupation under a leave and licence agreement with the petitioner company as commercial in nature and continue to treat it as being covered under low tension tariff 1A which applies to residential units so long as such units are being utilised for residential purposes and continue to charge domestic tariff



covered under the tariff slab Low Tension Tariff 1A as per T.P.No.1 of 2017 and to pass such further or other order(s) as this Court may deem fit and proper in the facts and circumstances of the case.

WEB COPY

For Petitioners : Mr.Hredai Sriram.
For Respondents : Mr.P.Gunaraj for R1 to R3.

ORDER

Heard Mr.P.Gunaraj, Learned Standing Counsel, who takes notice for the First to Third Respondents.

2. Having regard to the nature of complaint made by the Petitioner in the Writ Petition, the Learned Standing Counsel for the First to Third Respondents, on instructions, states that the Second and Third Respondents would initiate proceedings only in accordance with the provisions of clause 19 of the Tamil Nadu Electricity Supply Code, 2004. A memo has been filed to that effect, which is recorded.

3. If any notice is issued by the concerned authorities in that regard, it would be open to the Petitioner to place their contentions in reply to the same which shall be duly considered by the authorities and a reasoned order shall be passed on merits and in accordance with law, which shall be communicated to the parties concerned under written acknowledgment. It is needless to add here that there shall not be any disconnection of electricity to the premises in the occupation of the Petitioner without following the prescribed procedure.

4. Accordingly, the Writ Petition is disposed on the aforesaid terms. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sni/tsh



To

1. TANGEDCO

represented by its Chairman & Managing Director,
No.144, Anna Salai,
Chennai.

2. Superintending Engineer

TANGEDCO

Chennai South electricity Distribution Circle,
Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.

3. The Assistant Executive Engineer

TANGEDCO

Chennai South electricity Distribution Circle,
Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.

+1 cc to M/s.Thanushree Aravind Advocate sr103738

+1 cc to M/s.P.Gunaraj Advocate sr103753

W.P. No. 34569 of 2019

aa21/01/2020