



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Nineteenth day of December Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE P.D.AUDIKESAVALU

WMP.Nos.35978, 35983 & 35986 of 2019

in

WMP.No.34229 of 2019

in

WP.No.33743 of 2019

S.A.GAFFAR,

[PETITIONER IN ALL THE
PETITIONS]

Vs

1 THE SUPERINTENDING ENGINEER, [RESPONDENTS IN ALL THE
TAMIL NADU GENERATION AND DISTRIBUTION PETITIONS]
CORPORATION LTD., VELLORE DISTRICT

2 THE ASSISTANT EXECUTIVE ENGINEER,
(OPERATION AND MAINTENANCE), TAMIL
NADU GENERATION AND DISTRIBUTION CORPORATION
LTD., ARCOT RURAL, VELLORE DISTRICT

3 THE JUNIOR ENGINEER,
(OPERATION AND MAINTENANCE), TAMIL NADU
GENERATION AND DISTRIBUTION CORPORATION LTD.,
MELVISHARAM, WALAJA TALUK, VELLORE DISTRICT

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i)Extent the Time for a period of four weeks to produce the bank guarantee in the order passed in WMP.No.34229/2019 in WP.No.33743/2019 dated 04.12.2019.(in WMP.No.35978/2019);

(ii)Modify the conditional order passed in WMP No. 34229/2019 in WP.No.33743/2019 dated 04.12.2019.(in WMP.No.35983/2019);

(iii)Grant an order of Interim Direction, directing the Respondents to restore the EB domestic Service Connection No. 253-012-299 situated in Door No.10, Sowcar Nagar, Melvisaram, Walaja, Vellore District.(in WMP.No.35986/2019)respectively.



Order : These petitions coming on for orders upon perusing the petition and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.B.GOPALAKRISHNAN, Advocate for the petitioner in all the petitions and of M/S.M.VARUNKUMAR, Standing Counsel for the respondents in all the petitions the court made the following order:-

Heard Mr.R.Gopalakrishnan, Learned Counsel for the Petitioner and Mr.M.Varunkumar, Learned Standing Counsel for the First to Third Respondents and perused the material placed on record, apart from the pleadings of the parties.

2.The Miscellaneous Petition in W.M.P.No.35983 of 2019 has been filed to modify the conditions imposed in the order dated 04.12.2019 by requiring bank guarantee to be furnished from a Nationalized Bank in Vellore District instead of Chennai City, as the Petitioner is a resident of Vellore District and does not have any bank account in Chennai City.

3.The Miscellaneous Petition in W.M.P.No. 35978 of 2019 has been filed to extend the time for production of the bank guarantee in view of the aforesaid modification of the order sought.

4.The Miscellaneous Petition in W.M.P. No. 35986 of 2019 has been filed seeking direction to the Respondent to restore the electricity connection as the same has been disconnected on 20.11.2019 before filing of the Writ Petition.

5.Learned Counsel for both sides agree that para 3 of the order dated 04.12.2019 in W.M.P. No. 34229 of 2019 in W.P. No. 33743 of 2019 may be substituted as follows:-

"Having regard to the submissions made by both sides, the Petitioner shall furnish a Bank Guarantee issued by any Nationalized Bank in Vellore District for the entire amount demanded by the Respondents in the impugned notice on or before 21.01.2020 in favour of the First Respondent and the original copy of that bank guarantee shall be handed over to the First Respondent for safe custody under written acknowledgement. If such bank guarantee is furnished, the Respondents shall immediately restore electricity connection to the premises of the Petitioner. In the event of the Petitioner failing to renew the bank guarantee from time to time before the due date, the same shall be encashed without awaiting specific orders to that effect, and such amount realized shall be invested in the same Bank in an interest fetching Fixed Deposit in the name of the First Respondent and the receipt for the same shall be handed over to the Registry of this Court



for safe custody under written acknowledgement."

6.The Miscellaneous Petitions in W.M.P.Nos.35978, 35983 & 35986 of 2019 in W.M.P.No.34229 of 2019 are ordered on the aforesaid terms.

-sd/-
19/12/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDING ENGINEER,
TAMIL NADU GENERATION AND DISTRIBUTION
CORPORATION LTD., VELLORE DISTRICT

2 THE ASSISTANT EXECUTIVE ENGINEER,
(OPERATION AND MAINTENANCE), TAMIL
NADU GENERATION AND DISTRIBUTION CORPORATION
LTD., ARCOT RURAL, VELLORE DISTRICT

3 THE JUNIOR ENGINEER,
(OPERATION AND MAINTENANCE), TAMIL NADU
GENERATION AND DISTRIBUTION CORPORATION LTD.,
MELVISHARAM, WALAJA TALUK, VELLORE DISTRICT.

4 THE REGISTRAR GENERAL,
HIGH COURT, CHENNAI.

5 THE SECTION OFFICER,
ACCOUNTS SECTION, HIGH COURT, CHENNAI.

C.C. to M/S.B.GOPALAKRISHNAN Advocate Sr.NO.15130

C.C. to M/S.M.VARUNKUMAR, Standing Counsel on payment of necessary charges

Order

in

WMP.Nos.35978, 35983 & 35986 of 2019
in
WMP.No.34229 of 2019
in
WP.No.33743 of 2019

Date :19/12/2019

From 26.2.2001 the Registry is issuing certified
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