

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.01.2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.29891 of 2018

M.Mariammal

.. Petitioner

Vs

1. The Chairman,
Tamil Nadu Electricity Board (TANGEDCO),
Anna Salai, N.P.K.R.R Maligai,
Chennai - 600002.
 2. The Chief Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board (TANGEDCO),
Anna Salai, N.P.K.R.R Maligai,
Chennai - 600002.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct 2nd respondent to connect the House New Connection of Electricity Service based on the petitioner representation dated 09.05.2018, the petitioner House property has situated at No.303, Sivaraj Street, Pullarampakkam Village, Tiruvallur District - 602023.

For Petitioner : Mr.B.Chandran

For Respondents : Mr.S.K.Rameshwar

सत्यमेव जयते
O R D E R

The relief sought for in the present writ petition is for a direction to direct 2nd respondent to provide Electricity Service Connection based on the representation submitted by the writ petitioner on 09.05.2018 in respect of his property, situated at 303, Sivaraj Street, Pullarampakkam Village, Tiruvallur District.

2. The learned counsel for the writ petitioner states that the petitioner was provided with the Electricity Service Connection and he was utilising the same. However, the said electricity service connection was disconnected on the ground that the petitioner had not paid the Current

Consumption Charges. The learned counsel for the petitioner states that subsequently, the impugned consumption charges were paid and therefore, authorities have to restore the electricity service connection. He made a representation to that effect and the same has not been considered. Thus, the writ petitioner is constrained to move the present writ petition.

3. The learned counsel for the respondent relying on the counter affidavit filed by the Assistant Engineer made a submission that the petitioner, who is the enjoyer of the Service Connection No. 366.015.950 has not paid the Current Consumption Charges for the month of May 2014, amounting to Rs. 1000/- and the Service Connection was disconnected on 20.06.2014. After the disconnection of the Electricity Service Connection, the petitioner had unauthorised used the electricity and committed an offence of theft of energy by direct hook to her domestic purpose. The theft of energy was identified and during the inspection, the authorities found that the petitioner had committed an offence theft of energy.

4. Accordingly, the authorities competent had imposed a fine amount of Rs.14,890/- and the said amount has been collected from the petitioner on 17.05.2018. The petitioner is having yet another Service Connection bearing No.S.C. A/c. No. 366.015.950 stands in the name of T.Raja, who is the landlord of the property as per the Revenue Records and the same was disconnected was on 20.06.2014 for the non-payment of Current Consumption Charges of Rs.1,000/-.

5. The learned counsel for the respondents state that as per the TNERC Regulations, the service connection already dismantled cannot be restored beyond the period of two years. The disconnection was effected on on 20.06.2014 and the meter and other instalments in the premises were dismantled.

6. This being the factum of the case, the petitioner has to submit a fresh application for providing Electricity Service Connection as per the regulations. This being the factum of the case, the petitioner is at liberty to submit a fresh application seeking electricity connection by following the procedures as contemplated in the regulations. In the event of submitting any fresh application by the writ petitioner , the competent authorities shall consider the same and pass orders on merits and in accordance with law with reference to the regulations and without causing any undue delay.

7. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

kak/kmm

To

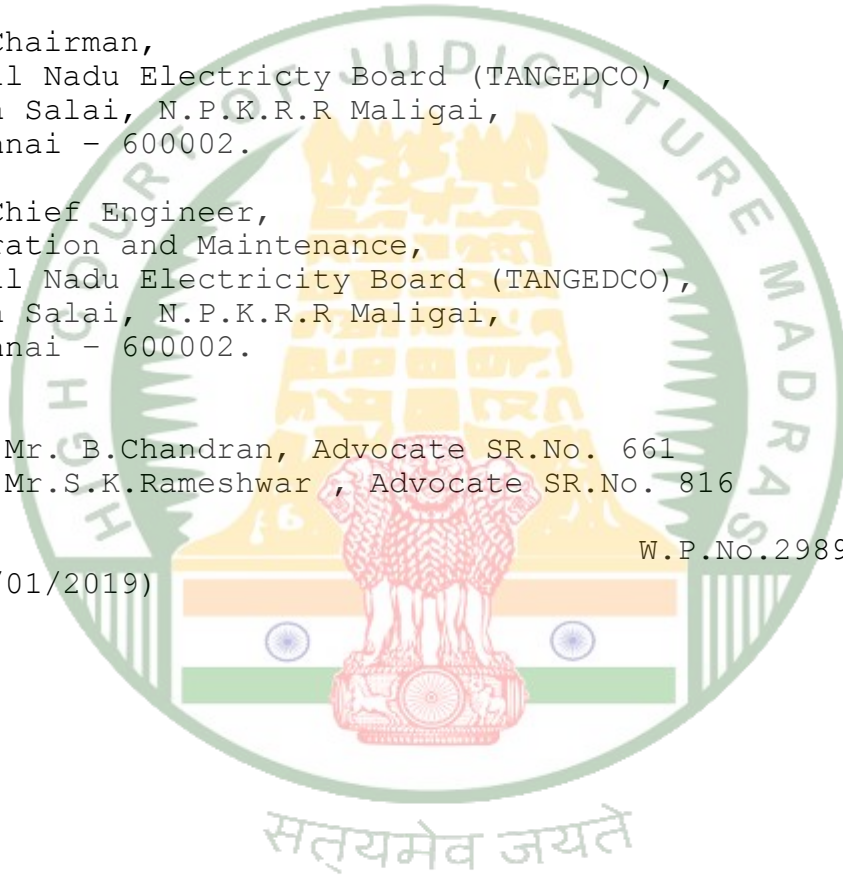
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+1cc to Mr. B.Chandran, Advocate SR.No. 661

+1cc to Mr.S.K.Rameshwar, Advocate SR.No. 816

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A.SK(31/01/2019)



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