

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.01.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31778 of 2018
and
W.M.P.No.37016 of 2018

Mr.P.Sundaravaradhan

..Petitioner

vs

1. The Assistant Executive Engineer
O & M, West Mambalam
C.E.D.C.Central Chennai,
No.14, K.R.Koil Street, West Mambalam
Chennai - 600 033

2. Mr.A.Rajagopalan

..Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent pertaining to த.எண். உ.செ.பொ/மோ.மா- I/கோ/அ.எண் :327/2018 dated 11.10.2018 and quash the same and consequently direct the 1st respondent to provide electricity service connection to the petitioner tenanted premises at First floor, Old No.15, New No.43, Arya Gowda Road, West Mambalam, Chennai - 600 033.

For Petitioner : Mr.G.Vijayakumar

For Respondents : Mr.P.R.Dhilipkumar,
Standing counsel for TNEB
No appearance for R2

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O R D E R

The order of rejection dated 11.10.2018, rejecting the claim of the writ petitioner for providing a separate Electricity Service Connection, wherein the writ petitioner is continuing as a tenant is under challenge in the present writ petition.

2.The writ petitioner states that he is a tenant as First

Floor, Old No.15, New No.43, Arya Gowda Road, West Mambalam, Chennai - 600 033 under one Mrs.Kamala.

3.The grievances of the writ petitioner is that the arrears of Electricity Consumption Charges had not been cleared by the landlord despite the fact that the petitioner is paying the rent promptly to the landlord. In other words, the landlord had failed to pay the arrears of Electricity Consumption Charges and on account of the lapses on the part of the landlord, the Electricity Service Connection provided to the writ petitioner was disconnected. Thus, the petitioner is constrained to move the present writ petition.

4.The learned counsel appearing on behalf of the writ petitioner now made a submission that the writ petitioner is ready and willing to clear the entire arrears of Current Consumption Charges without prejudice his rights to claim the same from the landlord in accordance with law and in the event of clearing the arrears of Consumption Charges, the case of the writ petitioner shall be considered for providing a separate Electricity Service Connection in respect of the premises occupied by the writ petitioner as a tenant.

5.In view of the undertaking given by the learned counsel for the writ petitioner, this Court is inclined to pass an order, permitting the writ petitioner to deposit the entire arrears of Current Consumption Charges to the Respondent Board and on payment of the arrears of Current Consumption Charges by the writ petitioner, the 1st respondent is directed to consider the case of the writ petitioner for providing a electricity service connection, if the writ petitioner is otherwise eligible and by following the procedures as contemplated under the Tamil Nadu Electricity Supply Code and the Tamil Nadu Electricity Distribution Code.

6.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Executive Engineer
O & M, West Mambalam
C.E.D.C. Central Chennai,
No.14, K.R.Koil Street, West Mambalam
Chennai - 600 033

+1cc to Mr.G.Vijayakumar, Advocate, S.R.No.5426

+1cc to Mr.P.R.Dhilipkumar, Advocate, S.R.No.6134

W.P.No.31778 of 2018

NRL(CO)
CS/11/02/2019



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