



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.6559 of 2018

and

W.M.P. (MD) No.6423 of 2016

C.P.Arumugam

... Petitioner

Vs

- 1.The Superintending Engineer
Operation and Maintenance,
Tamil Nadu Electricity Board,
Karur.
- 2.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Kulithalai.
- 3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Chinthamanipatty,
Karur District.
- 4.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Chinthamanipatty,
Kadavur Taluk,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent proceedings in impugned letter in க,எண்,உமிபோ/இகா/தி/சி.ம.பட்டி கோ/தனி அ.எண்,68/2015-16 நாள் 25.09.2015 and quash the same as illegal consequently direct the respondents to restore the service connection in SC.No.06-054-008-886 chinthamanipatty Sub-Division and the respondents are given the fresh service connection in his new house in Survey No.391/4B, Thargampatty of Kadavoor Taluk.



For Petitioner

: Mr.K.Ashok Kumar Ram

For R1, 3 and 4

: Ms.Rajeswari
for Mr.S.M.S.Johnny Basha

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ORDER

The petitioner was enjoying the service connection vide SC.No.886 for his house in Thargampatty. The petitioner was carrying construction activities behind his house. Instead of obtaining separate temporary connection for facilitating the construction activities, energy was illegally drawn from SC.No.886. This was found out on 05.09.2011 and the petitioner was levied with compensation charges of Rs.34,810/ and the petitioner did not remit the said amount. Therefore, his electricity connection in SC.No.120 in Cheetiyapatti Village was also disconnected. The petitioner wants those two connections to be restored and he wants a new service connection for his new house in Survey No.391/41, Tharagampatty, Kadavoor Taluk.

2.This Court made it clear that unless the petitioner clears pays the liability, he will not be given the relief sought for. The learned counsel appearing for the petitioner states that the petitioner would immediately pay the compensation charges of Rs.34,810/- and whatever the interest that accrued thereon will be cleared by him in 24 equal monthly installments. The first installment will commence from 01.05.2019.

3.Recording the said undertaking given by the writ petitioner, this Court directs the respondents to restore the petition mentioned service connections and also give fresh service connection for his newly constructed house. Restoration of SC.No.886 and SC.No.120 will take place immediately after the compensation charges are remitted. Subject to fulfillment of other formalities, new connection will also be given. If the petitioner commits two successive defaults while remitting the interest amount, it is open for the respondent to take action for disconnecting the service connections.

4.The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

SD

ASSISTANT REGISTRAR (CS III)

TRUE COPY

SUB ASSISTANT REGISTRAR

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TO:

1.The Superintending Engineer
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Tamil Nadu Electricity Board,
Karur.

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Kulithalai.

3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Chinthamanipatty,
Karur District.

4.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Chinthamanipatty,
Kadavur Taluk,
Karur District.

1CC TO MR. K. ASHOK KUMAR, ADVOCATE SR: 56408

DS
4/4/2019
3P/6C

W.P. (MD) No. 6559 of 2018