



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 5520 of 2019

and

W.M.P. (MD) No. 4374 of 2019

Samsunisha

... Petitioner

Vs

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

2. The Assistant Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Karur Post,
Avudaiyarkovil Taluk,
Pudukottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to restore the electricity service connection in 155-016-931 in the petitioner's shrimp farm situated at Veelimar Village, Avudaiyarkovil Taluk, Pudukottai District pending appeal dated 11.06.2018 on the file of the first respondent.

For Petitioner : Mr. T. Lenin Kumar
For Respondents : Mr. S. M. S. Johny Basha

ORDER

The petitioner was a running shrimp farm. He was enjoying the petition mentioned electricity service connection. He was issued with the demand notice for payment of a sum of Rs. 5,48,748/-. Questioning the same, he filed an appeal before the first respondent. Since the petitioner did not comply with the demand notice, the service connection was disconnected. The petitioner's appeal is still pending.

2. The petitioner seeks restoration of the said service connection subject to the outcome of the appeal. He is willing to pay a sum of Rs. 1,85,000/- without prejudice to his contention in the appeal.

3. I am of the view that it is not necessary to keep the petitioner's electricity service connection under disconnection till the disposal of the appeal. Therefore, upon payment of a sum of Rs. 1,85,000/- to the second respondent towards partial liquidation of the liability that is subject matter of the appeal, the second



respondent shall restore the petitioner's electricity service connection.

4. Subject to this condition, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

TO

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

2. The Assistant Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Karur Post,
Avudaiyarkovil Taluk,
Pudukottai District.

+1cc to Mr.T.Lenin Kumar, Advocate, SR.No.53017

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and

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SP/12.03.2019/ 2P/4C