



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD)No.19531 of 2019
and
W.M.P. (MD)No.15988 of 2019

A.Neelakandan : Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Parvathipuram,
Nagercoil-629 003,
Kanyakumari District.

2.The Assistant Executive Engineer/Kottaram,
Sub Station Campus,
Kottaram-629 703.

3.The Junior Engineer,
(Distribution),
TANGEDCO,
Suchindrum - 629 704.

4.S.Sankaran Pillai
5.S.Arumugam Pillai

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned the third respondent dated 06.08.2019 in Letter No.இந்மொ/வி/க.சீ/கோ.கட் 6/அ 256/19 and quash the same and further, directing the respondents 1 to 3 to provide electricity service connection forthwith for the residential house bearing Door No.1/1-14C, North Street, North Thamaraikulam, Kanyakumari District.

For Petitioner

: Mr.M.P.Senthil

For Respondents 1to3

: Mrs.Parameswari,
For Mr.S.M.S.Johnny Basha



ORDER

The petitioner has applied for service connection to his house bearing Door No.1/1-14C, at North Street, North Thamaraikulam, Kanyakumari District. In a partition dispute, the other siblings have disconnected the electricity supply to his house. Therefore, he applied for new electricity service connection. The application was returned for non-furnishing revenue documents. From the perusal of the typed-set, it is seen that the petitioner has submitted his nativity certificate, residence certificate, ration card and aadhar card for proving that he is residing at the place for a very long time.

2. The learned counsel appearing for the petitioner would contend that the petitioner has two school going children studying VI and VII standard. Without electricity, the entire family members are struggling so much.

3. The learned Standing Counsel appearing for the TANGEDCO would submit that if the petitioner produces all these documents and also an indemnity bond, as required under Clause 27(4) of the Tamil Nadu Electricity Distribution Code, 2004, his request will be considered.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner has shown that he is bona fidely residing at the place, and that because of the civil dispute, he lost his electricity connection, as contended by the learned Standing Counsel appearing for the TANGEDCO, the petitioner is directed to furnish an indemnity bond. On such production of indemnity bond, the respondents 1 to 3 are directed to provide a new electricity connection, within a period of two weeks from the date of receipt of a copy of this order. The petitioner has to pay the connection charges and other charges, as demanded by the TANGEDCO.

5. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



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Kottaram-629 703.

3.The Junior Engineer,
(Distribution),
TANGEDCO,
Suchindrum - 629 704.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-87176[F] dated 17/09/2019)

Order made in
W.P. (MD) No.19531 of 2019
16.09.2019

SML
JMN(18.09.2019) 3P : 5C