



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)Nos.21580 and 18918 of 2019

and

W.M.P. (MD) .Nos.15256 and 15275 of 2019

in W.P(MD) .No.18918 of 2019

K.Murugesan

... Petitioner in both W.Ps

Vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
No.1, Vallam Road,
Thanjavur-01.

2.The Executive Engineer,
Operation and Maintenance,
TANGEDCO ,
Kumbakonam,
Thanjavur District.

3.The Assistant Executive Engineer
Operation and Maintenance,
TANGEDCO ,
Papanasam
Thanjavur District.

... Respondents in both W.Ps

PRAYER in W.P. (MD) .No.21580/2019: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to accept petitioner's application dated 23-09-2019 for electricity service connection to his petty shop in Door No.6/110 , South Agraharam, Ganapathy Agraharam, Papanasam Taluk, Thanjavur District within the period stipulated as prescribed by this Honourable Court.

PRAYER in W.P. (MD) .No.18918/2019: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent's impugned inspection report dated 17.08.2019 and consequential working sheet for energy theft case dated 19.08.2019 and quash the same and to direct the respondent No.3 to restore petitioner's electricity service connection No.434/001 1B HUT within the period stipulated by this Court.



For Petitioner
For Respondents

: Mr.A.Haja Mohideen
: Mrs.M.Rajeswari
for Mr.S.M.S.Johny Basha
Standing Counsel for TNEB
(In both W.Ps)

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COMMON ORDER

Writ petition (MD).No.21580 of 2019 has been filed for issuance of writ of mandamus directing the respondents to accept petitioner's application dated 23-09-2019 for electricity service connection to his petty shop in Door No.6/110 , South Agraharam, Ganapathy Agraharam, Papanasam Taluk, Thanjavur District within the period stipulated by this Court.

Writ petition (MD).No.18918 of 2019 has been filed, challenging the impugned inspection report dated 17.08.2019, issued by the third respondent and the consequential working sheet for energy theft case dated 19.08.2019 and also to direct the third respondent to restore petitioner's electricity service connection No.434/001 1B HUT.

2.The petitioner had three electricity service connections. It is submitted that free electricity provided to the hut was misused by the petitioner for commercial purpose. Therefore, the respondents have taken penal action against the petitioner for theft of electricity. In that, as per consumption charges, estimated a sum of Rs.62,858/- was to be paid by the petitioner. He paid some amount and a balance of Rs.31,429/- is still due. While the matter stood thus, the petitioner has asked for some other electricity service connection under 'Paid Category'. In view of the pendency of the case with regard to 'theft of energy', it was not granted to him. Now that, the petitioner undertakes to clear the balance amount in installments and after that, service connection can be considered.

3.Considering the above undertaking of the petitioner, the petitioner is directed to approach the respondents for clearing the outstanding dues to the tune of Rs.31,429/- in installments. On such payment, the respondents shall consider the request of the petitioner in accordance with law.

4.With the above observation and direction, both the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



1.The Superintending Engineer,
Tamil Nadu Electricity Board,
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2.The Executive Engineer,
Operation and Maintenance,
TANGEDCO ,
Kumbakonam,
Thanjavur District.

3.The Assistant Executive Engineer
Operation and Maintenance,
TANGEDCO ,
Papanasam
Thanjavur District.

+1 CC to Mr.A.HAJAMOHIDEEN, Advocate (SR-96474[F] dated
06/11/2019)

W.P(MD)Nos.21580 and 18918 of 2019
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