

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.2205 of 2013

Mr.D.Shankar @ Gowri Shankar

... Petitioner

v.

1. The Chairman cum Managing Director,
Tamil Nadu Electricity Board/
Tamil Nadu Generation and Distribution Co. Ltd.,
NPKRR Maaligai, No.144, Ana Salai,
Chennai - 600 002.
2. The Superintending Engineer/Chennai
Electricity Distribution/South,
No.110, K.v. Sub-Station Complex,
Anna Road, K.K. Nagar, Chennai - 600 078.
3. The Assistant Engineer,
CED/South,
Ramapuram Sub-Energy Distribution Circle,
Ramapuram, Chennai - 600 089.
4. Mrs.S.Jeyanthi
(R4 impleaded as per court order dated
23.07.2020 in M.P.No.1 of 2013 in W.P
No.2205/2013)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondents to restore the Electricity Service Connection and TNEB Meter pertaining to the petitioner's property bearing Plot No.100B, Annai Sathyta Nagar, Ramapuram, Chennai - 89.

For Petitioners : Mr.A.Prabhakaran

For Respondents : Mr. P.Gunaraj

Standing Counsel - for R1 to R3

No Appearance - for R4

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to restore the Electricity Service Connection and TNEB Meter pertaining to the petitioner's property bearing Plot No.100B, Annai Sathyta Nagar, Ramapuram, Chennai - 89.

2. It is the case of the petitioner that at the instance of the 4th respondent the service connection provided in the name of the petitioner was disconnected and therefore, the petitioner is seeking restoration of the electricity service connection.

3. Mr. P.Gunaraj, learned Standing Counsel appearing for the respondents 1 to 3 submitted that the service connection was disconnected as early as in the year 2012 and the account itself was closed on 05.02.2018 and therefore, the said connection cannot be restored after a lapse of more than two years.

4. Mr.A.Prabhakaran, learned counsel appearing for the petitioner submitted that liberty may be given to the petitioner to submit fresh application to the 3rd respondent and the 3rd respondent may consider the same taking into consideration the disposal of the suit in O.S.No.463 of 2012 on the file of the District Musnif Court, Poonamallee.

5. Mr. P.Gunaraj, learned Standing Counsel appearing for the respondents 1 to 3 submitted that in the case of the petitioner giving fresh application, the same shall be considered in accordance with law.

6. Having regard to the submissions made by the learned Counsel on either side, since the petitioner's account itself has been closed as early as on 05.02.2018, the prayer sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to file fresh application seeking for electricity service connection to the 3rd respondent and on submission of the same, the 3rd respondent shall consider the same and pass orders, in accordance with law by taking into consideration the disposal of

the suit in O.S.NO.463 of 2012. The 3rd respondent is also directed to issue notice to the 4th respondent before passing orders in the petitioner's application.

No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Rj

To

1. The Chairman cum Managing Director,
Tamil Nadu Electricity Board/
Tamil Nadu Generation and Distribution Co. Ltd.,
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Chennai - 600 002.
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3. The Assistant Engineer,
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Ramapuram Sub-Energy Distribution Circle,
Ramapuram, Chennai - 600 089.

+1 cc to Mr.A.Prabhakaran Advocate sr25162

W.P.No.2205 of 2013

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