

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4597 of 2020

Jannathul Riswana,
D/o.M.Mohammed Mohideen,
No.40/10, Murugesan, 2nd Cross Street,
East Tambaram,
Chennai - 600 059 ...Petitioner

Vs.

1.The Divisional Engineer,
TANGEDCO,
East Tambaram,
Chennai.

2.The Assistant Engineer,
TANGEDCO,
East Tambaram,
Chennai - 600 059.

3.K.M.Aisha Beebi,
W/o. Mohammed Sha,
No.40/10, Murugesan 2nd Cross Street,
East Tambaram,
Chennai - 600 059. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to give fresh electricity connection in the petitioner name for the residential house at No.40/10, Murugesan 2nd Cross Street, East Tambaram, Chennai - 600 059 by considering the petitioner's representation dated 07.09.2019.

For Petitioners : Mr.K.Vanangamudi
For Respondents : Mr.M.Gunaraj for R1 to R2

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the first and second respondents to consider the representation made by the petitioner on 07.09.2019 and to give electricity connection. The petitioner earlier approached this Court and filed a writ petition in W.P.No.27422 of 2019. This Court disposed of the writ petition by order dated 19.11.2019. The relevant portions of the order is extracted hereunder:

"2. The case of the petitioner is that, the electricity service connection Nos.251-509-1448, 251-509-1449, 251-509-1450 & 251- 509-1455 at No.40/10, Murugesan 2 nd Cross Street, East Tambaram, Chennai - 600 059 was disconnected on the 3rd respondent and therefore, sought for representation of the electricity service connection. The alleged representation of the petitioner dated 07.09.2019 not been considered by the 1st and 2nd respondent. Hence, the present Writ Petition is filed.

3. At the time of admission, this Court ascertained from the Standing Counsel from the respondents 1 & 2 that, the disconnection was not done by them but by the 3 rd respondent, who is none other than grand mother of the petitioner, due to some personal dispute and therefore, this Court directed the 2 nd respondent to visit premises of the petitioner and find out whether there is any tampering in the fuse board done by the 3 rd respondent and to rectify the same. Accordingly, the staff of the 2 nd respondent, visited the premises and found that the fuse carrier was removed by the 3 rd respondent unauthorisedly and same was restored.

4. Now the petitioner is enjoying the electricity service connection since the service connection is restored, nothing survives in this Writ Petition. If the petitioner wants separate service connection to the premises, she shall make proper application to the respondents in accordance with the procedure and same may be considered by the 2nd respondent as per law."

2. Pursuant to the above order, the petitioner submitted a representation dated 23.11.2019 along with an indemnity bond and sought for electricity connection in her name. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Mr.Gunaraj, learned counsel appearing on behalf of respondents 1 and 2 submitted that the petitioner should produce the documents to prove her ownership and possession of the property and only then the request made by the petitioner can be considered. In reply, the learned counsel for the petitioner submitted that necessary documents will be furnished to the respondents.

4. In view of the same, there shall be a direction to the petitioner to furnish the documents before the second respondent. The second respondent on receipt of the same shall consider the representation dated 23.11.2019 and shall take a decision in accordance with law within a period of four

weeks thereafter. The petitioner is directed to give a fresh representation to the second respondent along with a copy of this order.

5. This writ petition is disposed of with above direction. No cost.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

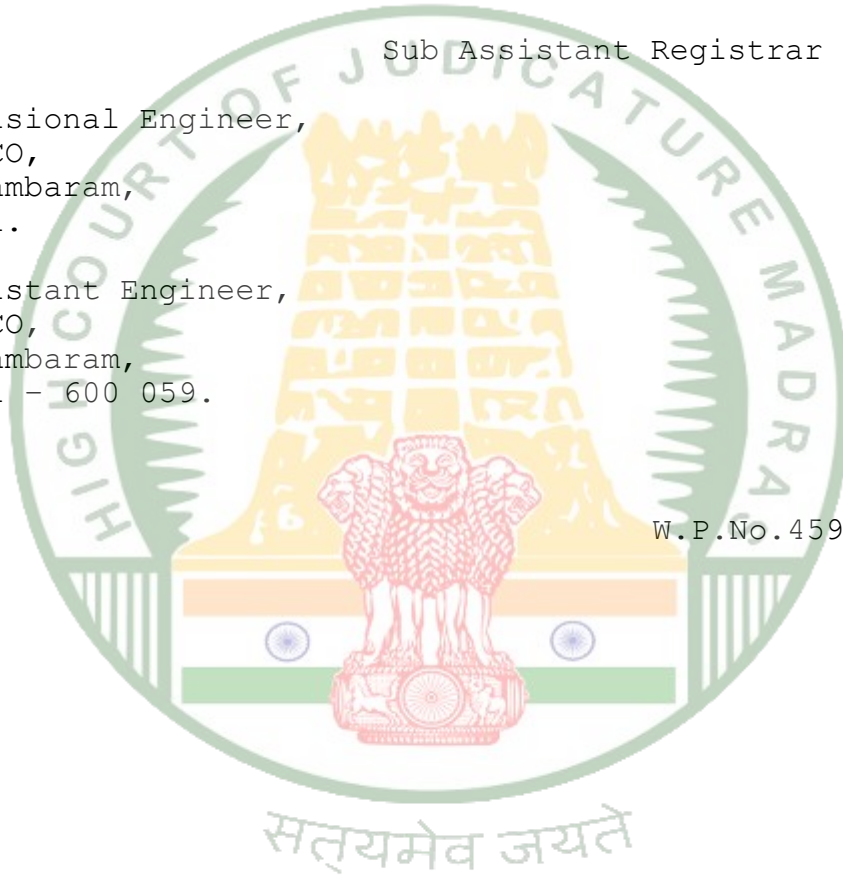
To:

1.The Divisional Engineer,
TANGEDCO,
East Tambaram,
Chennai.

2.The Assistant Engineer,
TANGEDCO,
East Tambaram,
Chennai - 600 059.

vs (co)
krd 7/10

W.P.No.4597 of 2020



WEB COPY