



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.3.2020

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The Honourable Mr. Justice T.S. SIVAGNANAM

Writ Petition No.5636 of 2020 & WMP.No.6585 of 2020

T.M.Kamatchi ...Petitioner

Vs

1.The Assistant Engineer, E. & Pa./
Tamil Nadu Electricity Production &
Distribution Board, Thiruvengada
Nagar, Ambattur, Chennai-53.

2.T.M.Manoharan ...Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of a Writ of Certiorari to call for the records pertaining to the passing impugned order dated 12.2.2020 on the files of the 1st respondent, quash the same consequently direct the 1st respondent to issue a fresh/new connection in the name of the petitioner.

For Petitioner : Mr.M.Chidambaram
For Respondent-1 : Mr.P.R.Dilipkumar
No Appearance for R2

ORDER

I have heard Mr.M.Chidambaram, learned counsel for the petitioner and Mr.P.R.Dilipkumar, learned Standing Counsel accepting notice for the first respondent. In the view of the order this Court proposes to pass in this writ petition, notice to the second respondent is dispensed with and the writ petition itself is taken up for final disposal.

2. The second respondent is the eldest son of the petitioner. The petitioner applied for grant of a separate electricity supply connection for the portion, in which, she is residing. However, the application of the petitioner has been returned stating that the second respondent gave objections, in which, he stated that he is the exclusive owner of the property and therefore, objected to the grant of separate electricity supply connection in favour of the petitioner.

3. This Court queried the learned Standing Counsel appearing for the first respondent as to whether the electricity



connection has been disconnected, for which, the learned Standing Counsel submits that the electricity connection has not been disconnected and that the petitioner has an electricity connection. It is further submitted that if she requires a separate electricity connection, she has to show that she is the owner of the independent area of the premises, in which, she is residing and there should be physical segregation of the premises.

4. In this regard, the learned Standing Counsel appearing for the first respondent has referred to Rule 27(14) of the Tamil Nadu Electricity Distribution Code.

5. Considering the age of the petitioner, who is stated to be 94 years, the writ petition is disposed of with a direction to the first respondent to ensure that the petitioner does not suffer without electricity and on technical grounds, the electricity connection shall not be disconnected to the area where she is residing in the building. Simultaneously, it is open to the petitioner to file a separate application and comply with Rule 27(14) of the said Code so as to enable her to secure a separate electricity connection. That apart, it is open to the petitioner to move any other forum as she may be advised. No costs. Consequently, the connected WMP is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The Assistant Engineer, E. & Pa./Tamil Nadu Electricity
Production &
Distribution Board, Thiruvengada Nagar, Ambattur, Chennai-53.

+1cc to Mr.P.R.Dilipkumar , Advocate SR.No. 20037

+1cc to Mr.M.Chidambaram , Advocate SR.No. 19976

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WMP.No.6585 of 2020

A.SK(09/03/2020)