

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.6176 of 2020

R.A. Manivannan

...Petitioner

Vs.

1.The Chairman cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
N.P.K.R.R. Malagi Electricity Avenue 144,
Anna Salai,
Chennai - 600 002.

2.The Assistant Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
No.39, Medavakam Tank Road,
Kellys Kilpauk,
Chennai - 600 010.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents to consider and grant electricity connection to the petitioner's petty shop situated near Millers Road, Motcham Theatre, near Madras Law College Hostel at Purasawakkam, Chennai based on the petitioner's representation dated 04.07.2019.

For Petitioner : Mr. N. Suriyamuthu

For Respondents : Mr. P.R. Dhilip Kumar,
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondents to grant electricity connection to the petty shop belonging to the petitioner.

2. The case of the petitioner is that he is a physically challenged person and he is carrying on business in the petty shop. Earlier, the petitioner had approached this Court and filed W.P.No.4368 of 2019 and he sought for a direction to the corporation to grant licence for running his petty shop. This Court disposed of the writ petition by an order dated 26.03.2019. The relevant portion of the order is extracted hereunder:-

"3.The learned Special Government Pleader submitted that the town vending committee is the authority concerned to pass orders on the said representation. The said committee was also heard. The petitioner has filed an application in W.M.P.No.8662 of 2019 for impleading the said committee as 4th respondent and the same has been allowed.

4.Considering the aforesaid submissions of the parties, the representation made to the 2nd respondent dated 29.11.2018 shall be forwarded to the 4th respondent within a period of two weeks from the date of receipt of the copy of this order. On receipt of the said representation, the 4th respondent is directed to consider the said representation and pass orders on merits in accordance with law as expeditiously as possible within a period of twelve weeks from the date of receipt of the copy of this order."

3. It is seen from records that the Chairman, Vending Committee, by letter dated 27.01.2020 has already informed the petitioner that the representation made by the petitioner will be considered immediately after the formation of the Vending Committee.

4. The petitioner in the meantime has made a representation to the second respondent to consider giving electricity connection to the petty shop of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court.

5. The learned counsel appearing on behalf of the respondents produced the letter of the second respondent dated 10.09.2019 wherein the petitioner was informed that only after he gets appropriate orders from the Vending Committee and he is given the licence to run the petty shop, the request made by the petitioner for electricity connection will be considered.

6. The second respondent has rightly rejected the request

made by the petitioner since the petitioner does not have a right to run a petty shop without a licence or permission from the Vending Committee. Therefore, the second respondent cannot give any electricity connection till such licence is granted.

7. This writ petition is disposed of by giving liberty to the petitioner to apply for electricity connection as and when the Vending Committee grants licence to run the petty shop. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

- 1.The Chairman cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
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- 2.The Assistant Executive Engineer,
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No.39, Medavakam Tank Road,
Kellys Kilpauk,
Chennai - 600 010

+1cc to Mr.P.R.Dilipkumar, Advocate, S.R.No.21927dt 12/03/2020

+1cc to Mr.N.Suriyamuthu, Advocate, S.R.No.21475 dt 11/03/2020

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MR(CO)
RN(27/05/2020)