

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.15021 of 2020

P.Vennila

...Petitioner

..Vs..

The Assistant Engineer,
Operation & Maintenance,
O/o. The Tamil Nadu Electricity Board,
Pattaravakkam (West), Ambattur,
Chennai - 58.

...Respondent

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus calling for the records relating to the order passed by the respondent herein in Ka.No.Oo.Po/E Ma Pa / Pattaravakkam/F.No.82 dated 11.09.2020, quash the same and consequently direct the respondent herein to effect electricity connection for the petitioner residence at No.31/21, Paadasalai Street, Mangalapuram, Ambattur, Chennai - 58 comprised in Survey No.72 at Ambattur Village & Taluk, Chennai District on receipt of the necessary fee for the same.

For Petitioner : Mr.G.Mageshkumar

For Respondent : M/s.G.Mageshkumar for
Standing Counsel

ORDER

This Writ Petition has been filed challenging the rejection order passed by the respondent dated 11.09.2020 and for a consequential direction to the respondent to effect electricity connection in the name of the petitioner for the subject property.

2. Heard Mr.G.Mageshkumar, learned counsel appearing on behalf of the petitioner and Mr.P.R.Dilipkumar, learned Standing Counsel appearing on behalf of the respondent.

3. The actual dispute in this writ petition is between the petitioner and her mother and the original service connection stands in the name of the grandfather of the petitioner. According to the petitioner, her mother is living in a separate portion and the petitioner along with her daughter is living in

a different portion. The mother of the petitioner seems to have disconnected the electricity connection enjoyed by the petitioner. The petitioner therefore wanted to have a separate connection in her name. The respondent was insisting for a NOC from the mother and this was not forthcoming.

4. The guidelines issued by the department indicates that in case of joint ownership, where a co-owner is not able to get the consent letter from the other co-owners, the department can always receive an indemnity bond with enhanced security deposit. The petitioner is willing to give such an indemnity bond with enhanced security deposit.

5. The learned counsel appearing on behalf of the respondent submitted that the application submitted by the petitioner will be considered in the light of the indemnity bond executed by the petitioner.

6. In view of the above, there shall be a direction to the respondent to receive the indemnity bond from the petitioner with enhanced security deposit and process the application given by the petitioner, who is seeking for separate electricity connection in her name. This process shall be completed within a period of one week from the date of receipt of copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Assistant Engineer, सत्यमेव जयते
Operation & Maintenance,
O/o. The Tamil Nadu Electricity Board,
Pattaravakkam (West), Ambattur,
Chennai - 58.

WEB COPY

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