

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.17658 of 2018

R. Sakila

... Petitioner

Vs.

1.The Commissioner
Chennai Corporation,
Rippon Building, Chennai.

2.The Executive Engineer
TANGEDCO
(Formerly known as TNEB)
Nandhabakkam, Chennai - 600 044.

3.The Asst. Engineer,
TANGEDCO,
(Formerly Known as TNEB)
No.3, Rudra Road,
St.Thomas Mount, Chennai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents 2 and 3 to provide electricity service connection to the shop of the petitioner situated at Jayant Teck Park, opposite to out gate, Padmini Garden Street, Nandapakkam, Chennai 600 044 by considering the representation dated 30.07.2017 made by the petitioner, within the time to be stipulated by this Court.

For Petitioner : Mr. M. Selvam
for M/S. R.Gopinath

For Respondents: Mr. M. Ganesan, for R1
Standing Counsel
Mr. P. Gunaraj, for R2 & R3
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the second and third respondents to provide electricity service connection to the petitioner who is running a bunk shop.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. It is seen from records that the petitioner along with others already approached this Court to forbear the corporation of Chennai from in any way interfering with the running of the bunk shop. When the matter came up for final hearing on 16.12.2016, the Division Bench of this Court passed the following order:

The petitioners state that they have already approached the Town Vending Committee and learned counsel for the petitioners sought to contend that the members of the Committee were not appointed. That is not the correct position in view of the proceedings of the Commissioner of Corporation in RDC.No.007/2016, dated 1.11.2016 and thus, it is for the Town Vending Committee to take a decision.

2.Writ petitions are, accordingly, closed.
No costs.

4. The learned counsel for the petitioner submitted that till now the proposal is pending before the Town Vending Committee and no final decision has been taken.

5. In the facts and circumstances of the case, this Court is not inclined to grant the relief as sought for by the petitioner. Admittedly, the petitioner is only running a bunk shop without any authorisation. Till a decision is taken by the Committee, it will not be in the interest of justice to direct the respondents to give electricity connection for the bunk shop of the petitioner. The petitioner can always revive his request to the respondents as and when a final decision is taken by the Vending Committee and till then no orders can be passed by this Court directing the respondents to give electricity connection.

6. This writ petition is disposed of accordingly. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

AT

To

1.The Commissioner
Chennai Corporation,
Rippon Building, Chennai.

2.The Executive Engineer
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Nandhabakkam, Chennai - 600 044.

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No.3, Rudra Road,
St.Thomas Mount, Chennai.

+1cc to Mr.R.Gopinath, Advocate, S.R.No.20582

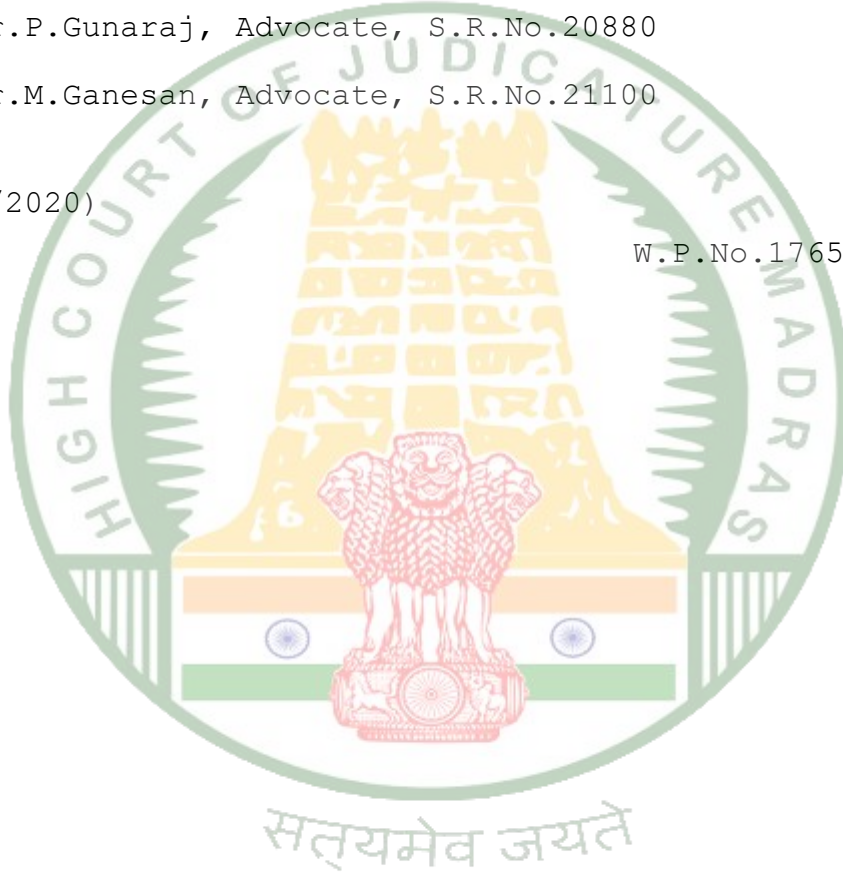
+1cc to Mr.P.Gunaraj, Advocate, S.R.No.20880

+1cc to Mr.M.Ganesan, Advocate, S.R.No.21100

PP(CO)

rli(20/05/2020)

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