

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.18097 of 2020
and
WMP. No.22484 of 2020

R.Manikandan

...Petitioner

Vs.

- 1 The Chairman
The Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO), Chennai- 2
- 2 The Superintending Engineer
The Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
Vellore- 632 006.
- 3 The Assistant Engineer
Operation and Maintenance (West Timiri)
Timiri, Ranipet District- 632 512.
- 4 The Junior Engineer
Operation and Maintenance (West Timiri)
Timiri, Ranipet District- 632 512.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the order passed by the 4th Respondent in the Acknowledgement No 200082580720315 dated 16.07.2020 and communicated to the Petitioner on 11.11.2020 and thereby directing the respondent to provide electricity connection to the petitioner for the property at S.F. No 242/3B, Opp. Govt Boys Hr. Sec School, Timri, Vellore District in the acknowledgment No. 200082580720315 in a time bound period.

For Petitioner : M/s.P.A.Chithramani
For Respondents: Mr.M.Varun Kumar
Standing Counsel

ORDER

On consent given by either side, the main Writ Petition itself is taken up for final hearing.

2. This Writ Petition has been filed challenging the impugned communication of the fourth respondent dated 16.07.2020, wherein the service connection that was sought for by the petitioner was rejected only on the ground that there is a Court case pending in the High Court.

3. Heard M/s.P.A.Chithramani, learned counsel for petitioner and Mr.M.Varun Kumar, learned Standing Counsel for respondents.

4. The case of the petitioner is that he is the owner of the subject property by virtue of a registered sale deed Document No.7360 of 2019. The further case of the petitioner is that he applied to the fourth respondent seeking for an LT Connection through application dated 13.07.2020. It is also stated that all the procedures contemplated under Electricity Distribution Code was fulfilled by the petitioner. However, fourth respondent through the impugned communication has informed the petitioner that the request made by the petitioner is rejected on the ground that there is a case pending in this Court with regard to the same S.F Number. Aggrieved by the same, the present Writ Petition has been filed before this Court.

5. The impugned letter that has been sent by the fourth respondent is completely bereft of any particulars. It merely states that there is a Court case pending in the High Court in this S.F.Number. The impugned letter of the fourth respondent is liable to be quashed on this ground alone. It is unfortunate that the fourth respondent rejects the claim made by the petitioner without assigning any reasons.

6. In view of the above, the impugned communication of the fourth respondent dated 16.07.2020 is hereby quashed. The matter is remanded back to the fourth respondent with a direction to the fourth respondent to immediately consider the application submitted by the petitioner and if the same fulfils all the requirements, necessary LT connection shall be given in favour of the petitioner. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the fourth respondent along with a copy of this order.

7. This Writ Petition is allowed with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mra

To

- 1 The Chairman
The Tamil Nadu Generation and Distribution Corporation Ltd (TANGEDCO), Chennai- 2
- 2 The Superintending Engineer
The Tamil Nadu Generation and Distribution Corporation Ltd (TANGEDCO),
Vellore- 632 006.
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- 4 The Junior Engineer
Operation and Maintenance (West Timiri)
Timiri, Ranipet District- 632 512.

+1 cc to M/s.P.A.Chithramani, Advocate Sr.No. 40611

+1 cc to M/s.M.Vanukumar, Advocate Sr.No. 40894

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and
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SR(CO)
RMP(19/01/2021)

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