



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.2372 of 2020

K.R.Vellaisamy

... Petitioner

Vs.

1) The Executive Engineer,
Operations and Maintenance,
Tamil Nadu Generation
and Distribution Corporation,
Trichy East, Mannarpuram, Trichy 20.

2) The Assistant Executive Engineer,
Operations and Maintenance,
Tamil Nadu Generation
and Distribution Corporation,
Thiruverumbur,
Trichy.

3) The Assistant Engineer,
Operations and Maintenance,
Tamil Nadu Generation
and Distribution Corporation,
Navalpattu, Trichy 16

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to give electricity supply to the petitioner's house in Dr.No.6/286 A comprised in Survey No.310/1 situated at Vivasaya Thottam, Navalpattu Village, Anna Nagar, Trichy-26 on executing the indemnity bond under Clause 27(4) of Tamil Nadu Electricity Distribution Code 2004 on the basis of the petitioner's representation dated 10.07.2019.

For Petitioner : Mr.R.R.Kannan

For Respondents : Mr.S.M.S.Johnny Basha,
Standing Counsel



O R D E R

Mr.S.M.S.Johnny Basha, learned standing counsel takes notice for the respondents.

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2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to give electricity supply to the petitioner's house in Dr.No.6/286 A, comprised in Survey No.310/1 situated at Vivasaya Thottam, Navalpattu Village, Anna Nagar, Trichy-26 on executing the indemnity bond under Clause 27(4) of Tamil Nadu Electricity Distribution Code 2004 on the basis of the petitioner's representation dated 10.07.2019.

4. It is claimed that the petitioner is a freedom fighter. Earlier the very same writ petitioner had filed W.P.(MD) No.8413 of 2019 against the Housing Board and also the Revenue Department for a Mandamus directing them to pass an order of permanent assignment of 5 acres of landed property comprised in Survey No.310/1 situated at Navalpattu village, Thiruverumbur Taluk, Trichy District in favour of the petitioner under the political sufferers scheme as per the Government Order No.1523 dated 11.06.1949. In the said writ petition, he has already obtained interim injunction and the same is still pending.

5. According to the petitioner, there was an old dilapidated structure in the said place which was subsequently pulled down and to the old structure, electricity connection was given by the third respondent in Service connection No.417 and the same was disconnected on 06.02.2019. Now, it is stated by the petitioner that he has put up a new construction and therefore, he is seeking service connection to the said super structure.

6. Learned counsel for the respondents would submit that, earlier by virtue of the Court order, service connection was given to the petitioner to the old structure. Now, admittedly, the same was removed as a new construction has been put up. The petitioner has to apply further for a fresh connection and he cannot ask for restoration of the old service connection.

7. It is submitted by the learned counsel for the petitioner that the petitioner is also willing to apply for a fresh service connection by complying with the requirements of the respondents and execute a indemnity bond under Clause 27(4) of Tamil Nadu Electricity Distribution Code 2004.



8. In view of the submissions made by the learned counsel for the petitioner as well as the learned standing counsel appearing for the respondents, this Court directs the petitioner to apply for new electricity service connection within a period of two weeks from the date of receipt of a copy of this order to the respondents and the respondents are directed to consider and effect service connection, if otherwise everything is in order, within a period of two weeks thereafter. It is also made clear by the learned standing counsel appearing for the respondents that the above service connection will be effected, subject to the outcome of W.P. (MD) No.8413 of 2019.

9. With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

- 1) The Executive Engineer,
Operations and Maintenance,
Tamil Nadu Generation and Distribution Corporation,
Trichy East, Mannarpuram, Trichy 20.
- 2) The Assistant Executive Engineer,
Operations and Maintenance,
Tamil Nadu Generation and Distribution Corporation,
Thiruverumbur, Trichy.
- 3) The Assistant Engineer,
Operations and Maintenance,
Tamil Nadu Generation
and Distribution Corporation,
Navalpattu, Trichy 16

+1 CC to M/s.RR.KANNAN, Advocate (SR-7339[F] dated 20/02/2020)

Order made in
W. P (MD) No. 2372 of 2020
Dated: 19.02.2020

TR(10.03.2020)3P 5C

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