



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9968 of 2020

S.Parameswari

... Petitioner

Vs.

1. The Chief Engineer (Distribution),
TNEB, K.Pudur,
Madurai.

2. The Executive Engineer,
TNEB, Madurai West,
Arasaradi,
Madurai - 16.

3. The Assistant Engineer,
TNEB, Palanganathm,
Madurai - 625 003.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give new electricity connection to the petitioner's newly constructed house in the Plot No.101 in Survey No.339/4A, 345/1 in Madakulam village, Madurai South Taluk, Madurai by fixing a time frame by this Court.

For Petitioner : Mr.R.Ramasamy

For Respondents : Mrs.M.Rajeswari

For Mr.S.M.S.Johnny Basha

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing for the respondents.

2.The petitioner had put up the petition mentioned house in Madakulam village. The petitioner wants electricity supply for the said premises. The petitioner had already given an application. Since it has not been considered, this writ petition came to be filed.

3.The petitioner's counsel draws my attention to Section 43 of the Electricity Act, 2003, in support of his contention that the

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respondents are obliged to provide electricity when an application has been submitted.

4.The learned standing counsel appearing for the respondents submitted that the respondents are having a doubt as to whether the petitioner's patta is still holding good.

5.The petitioner's counsel firmly asserts that the patta issued in favour of the petitioner is still holding good and that it has not been cancelled. I record the aforesaid submission made by the learned counsel appearing for the writ petitioner.

6.If the petitioner's application is otherwise in order, the respondents are directed to provide electricity service connection to the petition mentioned premises. It is of course open to the respondents to ask for indemnity bond from the petitioner herein.

7.The petitioner's counsel states that the petitioner will give an application within a period of one week from the date of receipt of a copy of this order to the third respondent enclosing all the relevant particulars. The third respondent is directed to act on the said application and provide electricity service connection to the petitioner on fulfillment of all the usual formalities within a period of four weeks thereafter.

8.The writ petition is allowed on these terms. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Assistant Engineer, TNEB, Palanganathm,
Madurai - 625 003.

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SJ(CO)

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