



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.8708 of 2019

and

W.M.P. (MD)No.6773 of 2019

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T.Victor

... Petitioner

Vs.

1.The Executive Engineer (Operation and Maintenance),
Office of Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Thanjavur - 7.

2.The Junior Engineer,
Office of the Junior Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Sub-Urban North,
Thanjavur.

3.S.Siriya Pushpam

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to give electricity supply to the petitioner's shop in 8/29, Navalar Nagar, 2nd Street, Vilar Road, Nanjikottai Road, Thanjavur on executing the indemnity bond under Clause 27(4) of Tamil Nadu Electricity Code, 2004 without insisting NOC to be obtained from the 3rd respondent.

For Petitioner : Mr.K.Guhan

For Respondents : Mrs.S.Srimathy,

Special Govt. Pleader for R1 & R2

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing TANGEDCO. Though the third respondent has been served and her name is printed in the cause list, she has not chosen to enter appearance either in person or through counsel.

2.The petitioner is a tenant under the third respondent. It appears that third respondent had filed R.C.O.P.No.12 of 2016 before the Rent Controller, Thanjavur and obtained an order of eviction. The RCA filed by the petitioner appears to have been dismissed and the petitioner filed a civil revision petition before this Court. The petitioner's counsel states that the said civil revision petition is pending as on date. The petitioner is



yet to be evicted from the petition mentioned premises in the manner known to law. The petitioner complains that the electricity supply to the premises has been disconnected. Therefore, he wants restoration.

3.The learned standing counsel for the TANGEDCO submitted that disconnection was made on account of non payment of current consumption charges. The petitioner is ready to pay not only the current consumption charges but also any other fees that may have to be paid for obtaining restoration. The said undertaking given by the petitioner through his counsel is recorded.

4.The petitioner is permitted to submit an application to the second respondent seeking restoration of electricity supply. The second respondent will immediately inform the petitioner the amount to be remitted by the petitioner herein. On such remittance, the electricity supply will be restored without any delay. I make it clear that this order will not confer any advantage on the writ petitioner in the pending eviction proceedings. The petitioner's counsel also states that he will not take advantage of this order in any collateral proceedings.

5.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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/ /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.

+1 CC to Mr.K. GUHAN, Advocate (SR-16546[F] dated 10/09/2020)

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