



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD)No.12899 of 2017

Subaitha Begam

Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd, (TANGEDCO),
Formerly known as TNEB,
Pudukkottai, Pudukkottai District.

2.The Executive Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO)
Formerly known as TNEB,
Aranthangi, Pudukkottai District.

3.The Assistant Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO)
Formerly known as TNEB,
(Operation & Maintenance),
Manamelkudi,
Pudukkottai District.

4.The Junior Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO)
Formerly known as TNEB,
(Operation & Maintenance),
Manamelkudi,
Pudukkottai District.

Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to restore the electricity service connection No.137-014-1156 in connection with Survey No.73/2 situated at Subramaniyapuram Circle, Krishnajipattinam Post, Manamelkudi Taluk, Pudukkottai District, on the basis of the petitioner's representation dated 13.01.2017, within a reasonable time fixed by this Court.



For Petitioner : M/s.G.Mathavan
For Respondents : Mrs.Rajeswari for
Mr.S.M.S.Johny Basha

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ORDER

Heard both sides.

2. The petitioner seeks restoration of the petition mentioned connection. The respondents have filed a detailed counter affidavit. The relevant averment are found in paragraphs 4 to 6:

"4.respectfully submit that the petitioner running petting shop having the service connection in S.C.No.137-014-1156 under Tariff V on 19.11.2008 with connected load of 0.75 KW. The petitioner has regularly paid the consumption charges upto 10.01.2017. The consumption of petitioner was increased from 0.75 KW to 1 KW on 23.11.2020 onwards. Thereafter maximum demand of the petitioner was revised on 13.10.2016 as 1 KW.

5.respectfully submit that the petitioner did not choose to pay the consumption charges thereafter. Therefore, the termination agreement notice was issued on 04.07.2017. After the receipt of the notice the petitioner has not paid the same and hence temporary dismantling was done on 13.05.2019. The current consumption charges, BPSC, Dismantling charges and other charges were calculated for a sum of Rs.988. The petitioner having security deposit for a sum of Rs.1152/- and the amount of Rs.988/- was deducted. The respondent ought to pay the balance amount of Rs.164/- to the petitioner.

6.I respectfully submit that the petitioner's service connection was on 31.03.2017 and as per the Regulation 22 of the Tamil Nadu Electricity Supply Code the service connection shall be restored if the reconnection is sought within two years. Since in the present case the two years period is completed on 30.03.2019, the petitioner's service connection could not be restored. However, the petitioner is entitled to get new service connection and if the petitioner submits an application seeking new service connection, the same will be considered as per law."



3. Therefore, the Writ Petition is disposed of giving liberty to the petitioner herein to apply for a new connection. The application of the petitioner seeking new connection shall be considered by the respondents within a period of four weeks as per law.

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4. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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.

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03.08.2020

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