

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.01.2021

Coram

The HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No.1252 of 2021

M/s Sri Gayathri Traders represented by its
Sole Proprietor Mr.S.Muthusamy
No.203, West Street, Nadukuppam,
Panrutti Taluk & Post,
Cuddalore District - 607 103

..... Petitioner

vs.

1. The Tamil Nadu Generation & Distribution Corporation Ltd (TANGEDCO),
Represented by its Chairman & Managing Director,
No.144, Anna Salai, Chennai - 600 002.
2. The Chief Engineer, (Commercial),
TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
TANGEDCO,
Marungur Electricity Distribution Circle,
Panrutti Taluk,
Cuddalore District.
4. The Asst. Engineer,
TANGEDCO,
Marungur Electricity Distribution Circle,
Panruti Taluk,
Cuddalore District

..... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to forthwith provide the Petitioner the Additional load of 10 KVA as sought for by the Petitioner vide his application reference number 200020940820500/0940820500 for the Petitioner's Industrial Unit.

For Petitioner .. Mr.Krishnamurthy

For Respondents .. Mr.Varunkumar
Standing Counsel

ORDER

This Writ Petition is filed for a Mandamus to direct the first respondent to forthwith provide additional load of 10 KVA as sought for by the Petitioner vide his application reference number 200020940820500/0940820500 for the Petitioner's Industrial Unit.

2. The petitioner is running a cashew nuts processing business and having labour force of more than 30. The petitioner wanted to expand the business and he was advised to go for high power machineries. The existing load was 25 K.W and he requires additional load of 10 K.W for operating the machineries. The petitioner applied for the same, through online application and a demand notice was sent by the 1st respondent dated 19.08.2020, demanding the charges for additional load and the petitioner has also paid the necessary charges on 06.10.2020. Despite placing the materials outside the Industry of the petitioner for erecting the transformer, no action was taken to provide with the connection as sought for by the petitioner. The petitioner has also sent a representation dated 06.11.2020 in this regard to the 3rd respondent, but so far no steps have been taken. Therefore, the petitioner is before this Court seeking the above said relief.

3. Mr.M.Varunkumar, learned Standing Counsel for TANGEDCO who takes notice for the respondents, on instruction, submitted that for the extension of 10 KW, the transformer has to be erected and for erecting the transformer, the neighbours in that area are raising objections and therefore, the additional load of 10 KW has not been effected to the petitioner's Industry so far.

4. Mr.R.Krishnamurthy, learned counsel for the petitioner submitted that for erection of the transformer, the petitioner has afforded his premises itself and hence, the TANGEDCO need not consider the objections of the others for erecting the transformer and providing additional load. He has also produced the photographs to show that though the poles and other required materials have been placed in the petitioner's site for the purpose of installing the transformer, the process of granting the additional load is being delayed.

5. Considering the rival submissions made on either side, this Court is of the view that the petitioner is entitled for

the relief sought for. Therefore, the Writ Petition is allowed. The first respondent is directed to erect the transformer in the petitioner's premises and provide additional load as sought for by him. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

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TANGEDCO,
Marungur Electricity Distribution Circle,
Panruti Taluk,
Cuddalore District.

+1cc to M/s.Justinson Legal, Advocate SR.3983
+1cc to Mr.M.Varun Kumar, Advocate SR.4151

W.P.No.1252 of 2021

SRA(CO)
CB(22/02/2021)