



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MS.JUSTICE P.T.ASHA

W.A.No.2428 of 2011

Chennai Metropolitan Development Authority
Rep. By its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.

... Appellant/5th Respondent

Versus

1.Tmt.K.Ruby Manoharan,
Wife of Manoharan,
Ruby Tower, No.240,
Velachery Main Road,
Selaipur, Chennai - 600 073.

... Respondent/Petitioner

2.Tamil Nadu Electricity Board,
Rep. By its Chairman,
No.800 Anna Salai, Chennai - 2.

3.The Chief Engineer (Commercial),
Tamil Nadu Electrical Board,
No.800, Anna Salai, Chennai - 2.

4.The Superintending Engineer,
Tamil Nadu Electricity Board,
C.E.D.C/South,
Anna Main Road,
K.K.Nagar, Chennai - 78.

5.The Divisional Engineer (O&M),
Tamil Nadu Electricity Board,
Chitlapakkam, Chennai - 32.

.. Respondents

Prayer: Writ Appeal has been filed under Section 15 of Letter of Patent against the order dated 24.03.2008 passed in W.P.No.7150/2008.

W.P.Prayer : Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 4 herein to receive, consider and provide



electricity Service Connection to the respective flats and for the common areas of the building put up by the Petitioner forthwith for the residential buildings put up at old S.Nos.94/1A2, New S.Nos.9A/1A2A1, 9A/1A2A2 and 9a/1A2A3 of Selaiyur Village, Tambaram Taluk, Kancheepuram District, without insisting upon completion certificate from the 5th Respondent.

For Appellant : Ms.P.Veena Suresh

For R4 & R5 : Mr.P.Gunaraj

For R1 to R3 : No Appearance

JUDGMENT

(Judgment of the Court was delivered by T.RAJA, J.)

The writ appeal is directed against the impugned order dated 24.03.2008 passed in W.P.No.7150 of 2008 by the learned Single Judge, in and by which, learned Single Judge directed the respondent/Electricity Board to issue electricity service connection to the writ petitioner/first respondent herein giving liberty to the CMDA to decide the deviation at the time of issuing the completion certificate.

2. Ms.P.Veena Suresh, learned counsel for the appellant/CMDA, submitted that as a matter of fact, completion certificate will not be given to the owner of the building unless he/she complies with the terms and conditions mentioned in the Planning Permission. However, in the present case, pending writ appeal, since the writ petitioner/first respondent herein has complied with the terms of conditions mentioned in the Planning Permission, the CMDA has also issued Completion Certificate to her. Therefore, nothing survives for further adjudication in the writ appeal.

3. Recording the above said submission, as the CMDA has already issued the Completion Certificate, nothing survives for further adjudication in the writ appeal and accordingly, the writ appeal stands closed. No Costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

rkm



To

1. The Chairman,
Tamil Nadu Electricity Board,
No.800 Anna Salai, Chennai - 2.
2. The Chief Engineer (Commercial),
Tamil Nadu Electrical Board,
No.800, Anna Salai, Chennai - 2.
3. The Superintending Engineer,
Tamil Nadu Electricity Board,
C.E.D.C/South,
Anna Main Road,
K.K.Nagar, Chennai - 78.
4. The Divisional Engineer (O&M),
Tamil Nadu Electricity Board,
Chitlapakkam, Chennai - 32.
5. The Member Secretary,
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road,
Egmore, Chennai - 8.

+1cc to Mr.P.Veena Suresh, Advocate, S.R.No. 32539

W.A.No.2428 of 2011

RLD(CO)
GN(03/08/2021)