

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NO.2165 OF 2021

AND

W.M.P.NO.2447 OF 2021

B.Nagaraj

...Petitioner

Vs.

1. Tamil Nadu Generation and
Distribution Company, (TANGEDCO)
rep. By its Chairman-cum-Managing Director,
No.800, Anna Salai, Chennai - 600 002.

2. The Assistant Engineer, (O&M),
TANGEDCO, 3rd Main Road, MMDA,
Mathur, Manali - 600 068.

...Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the respondents herein to provide Three Phase Electricity Service Connection vide Receipt No.9646445 dated 06.04.2018 to the petitioner's property viz., vacant land measuring to an extent of 8502 Sq.Ft., comprised in Survey No. 194/1A, sub-divided as Survey No. 194/1A2B1, Mathur Village, bearing Patta No.2138 situated at Anna Nagar, Mathur Village, Earlier Ambattur Taluk, now Madhavaram Taluk, earlier Trivellore District, now comes within the Greater Chennai Corporation Limits.

For Petitioner : Mr.K.Premkumar

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

This writ petition is filed for a mandamus directing the respondents to provide Three Phase Electricity Service connection to the petitioner's property comprised in Survey No.194/1A, sub-divided as Survey No.194/1A2B1, bearing Patta No.2138 situated at Anna Nagar, Mathur Village, which comes within the Greater Chennai Corporation Limits.

2. The case of the petitioner is that though he has paid the required amount for the Three Phase Electricity Service Connection, vide Receipt No.9646445 dated 06.04.2018, the respondent/Board has not effected the Three Phase Service Connection.

3. Mr.P.R.Dhilip Kumar, learned Standing Counsel for the Tamil Nadu Electricity Board, who takes notice for the respondents submit that the land, in which the petitioner is claiming Three Phase Service Connection comes under the purview of Urban and Land Ceiling Act and therefore, the service connection has not been effected so far.

4. Mr.K.Premkumar, learned counsel for the petitioner relying on the information, which has been provided under the Right to Information Act from the Assistant Commissioner, Urban Land Tax, Madhavaram, which would disclose that the petitioner's land in Survey No.194/1A is now sub-divided as 194/1A2B1 has not been acquired under the Urban Land Ceiling Act.

5. In view of the rival submissions made by the learned counsel on either side, this Court directs the petitioner to make a fresh representation along with the information which he has been obtained from the Assistant Commissioner, Urban Land Tax dated 20.01.2021 to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. If any representation is made, the same can be ascertained by the 2nd respondent from the concerned authorities and can take a decision on the application of the petitioner within a period of six weeks from the date of the application.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kkn

To:

1. Tamil Nadu Generation and Distribution Company, (TANGEDCO)
rep. By its Chairman-cum-Managing Director,
No.800, Anna Salai,
Chennai - 600 002.

WEB COPY

2. The Assistant Engineer, (O&M),
TANGEDCO, 3rd Main Road, MMDA,
Mathur, Manali - 600 068.

+4cc to Mr.K.Premkumar, Advocate, S.R.No.5627

W.P.No.2165 of 2021
and
W.M.P.No.2447 of 2021

LN(CO)
CS/11/02/2021



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