

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12/3/2021

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.6409 of 2021

K. Jayasankar

... Petitioner

Vs

1. The Chief Engineer
Chennai North Region
TANGEDCO.
 2. The Executive Engineer
O & M Perambur
75 Paper Mills Road
Perambur
Chennai 11.
 3. The Assistant Engineer
Operation/Maintenance
Sembium
Tamil Nadu Electricity Board
Chennai 600 043.
- ... Respondents.

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the third respondent's letter dated 28/10/2020 in Na.Ka.No.U.Po/E Thapal Sembiyam/Ka.No.027/2020 and quash the same and direct the respondents to give domestic electricity connection to the petitioner.

For petitioner

... Mr.M.Rajendran

For respondents

... Mr.P.R.Dhilip Kumar
Standing Counsel for TANGEDCO

O R D E R

This writ petition has been filed to quash the order, dated 28/10/2020, passed by the third respondent and direct the respondents to give domestic electricity connection to the petitioner.

2. Vide impugned order, the third respondent has rejected the application of the petitioner, directing him to produce the relevant documents for the possession of the property.

3. Learned counsel for the petitioner submits that this writ petitioner is in occupation of the said property and as per Clause 27 (4) of the Tamil Nadu Electricity Distribution Code, 2004, the petitioner is entitled for electricity service connection and the petitioner is also ready to execute an indemnity bond, as per the said Clause.

4. Mr. Dhilip Kumar, learned Standing Counsel of Tamil Nadu Electricity Board submits that the petitioner is seeking for electricity service connection in a poramboke land and they are not in legal occupation of the place in which they are in occupation and therefore, the third respondent, vide impugned order directed the petitioner to produce the relevant document for their legal occupation of the said land that there is a specific direction to the Board not to grant any service connection on the Government land and water bodies.

5. On the rival submissions made by the learned Standing Counsel, and also considering the fact that petitioner is an unauthorised occupant, this Court is not inclined to interfere with the order passed by the third respondent.

6. Accordingly, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

mvs

To

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TANGEDCO.
2. The Executive Engineer
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75 Paper Mills Road
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Chennai 11.

3. The Assistant Engineer
Operation/Maintenance
Sembium
Tamil Nadu Electricity Board
Chennai 600 043.1. The Chief Engineer
Chennai North Region
TANGEDCO.

+1cc to Mr.M.Rajendran, Advocate, S.R.No.16164

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PP (CO)
KM(17/04/2021)



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