



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.3106 of 2015

Mrs.J.Sangeetha

... Petitioner

Vs

1. The Executive Engineer (Distribution, Nerkundram)
Tamil Nadu Generation
and Distribution Corporation Ltd.,
MES/Nerkundram Section,
Nerkundram, Chennai - 600 107.

2. The Assistant Engineer (Distribution)
Tamil Nadu Generation
and Distribution Corporation Ltd.,
Koyambedu Market,
Koyambedu, Chennai - 600 107.

3. Mrs.A.K.Saraswathy

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, directing
the 1st and 2nd respondents to sanction a fresh service connection
in petitioner's name to be given to the first floor portion of
the said premises at No.25, Chellamman Nagar, Aani Street,
Nerkundram, Chennai - 600 107.

For Petitioner : Mr.D.Muthukumar
For M/s.Paul and Paul

For Respondents : Mr.L.Jai Venkatesh
For TANGEDCO
[For R1 & R2]

R3 - Not Ready in Notice

O R D E R

The relief sought for in the present writ petition is to
direct the respondents 1 and 2 to provide fresh Electricity



Service connection in the name of the petitioner in the premises at No.25, Chellamman Nagar, Aani Street, Nerkundram, Chennai - 600 107.

2. The petitioner submitted an application for providing new Electricity Service connection. The third respondent raised an objection, stating that she is the owner of the property and she purchased the property from the father-in-law of the petitioner. The petitioner claims that her father-in-law had constructed the ground floor and the husband of the petitioner constructed the first floor and therefore, she is residing in the first floor of the said property.

3. Under these circumstances, the third respondent raised an objection for providing separate Electricity Service connection in the name of the petitioner.

4. The learned counsel for the petitioner made a submission that under the Tamil Nadu Electricity Supply Code, the petitioner may be provided with a separate Electricity Service Connection on execution of bond. In this regard, the petitioner is at liberty to work out her remedy in the manner known to law. However, the writ Court cannot consider these kind of cases for issuing a direction to provide Electricity Service Connection, in view of the fact that the third respondent claims to be the owner, who purchased the property from the father-in-law of the petitioner and such disputes are now subjudiced in the Civil Suit pending before the competent Court of Law.

5. In view of the said factual position, the petitioner is at liberty to seek appropriate remedy before the competent Forum in the manner known to law.

6. With these observations, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Executive Engineer (Distribution, Nerkundram)
Tamil Nadu Generation
and Distribution Corporation Ltd.,
MES/Nerkundram Section,
Nerkundram, Chennai - 600 107.
2. The Assistant Engineer (Distribution)
Tamil Nadu Generation
and Distribution Corporation Ltd.,
Koyambedu Market,
Koyambedu, Chennai - 600 107.

+1cc to M/s.Paul & Paul, Advocate, S.R.No.67258

W.P.No.3106 of 2015

SPA (CO)
SU (29/12/2021)