



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.6749 OF 2019

M.Yuvaraj

... Petitioner

Vs.

1. The Assistant Engineer,
Office of the Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
No.182-A, 5th Avenue,
Anna Nagar, Chennai 600 040.

2. The Commissioner,
Corporation of Chennai,
Rippon buildings,
Chennai- 600 003.

(R2 impleaded vide order dated 27.04.2019
made in W.M.P.No.12984 of 2019 in
W.P.No.6749 of 2019)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to grant electricity service connection to the petitioner's bunk shop situated Ayyapan Koil, Backside of Anna Nagar Tower, 6th Main Road, Anna Nagar, Chennai-600 040, by considering his representation dated 08.12.2018 within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : M/s.L.Chandrakumar

For Respondent R1 : Mr.Jai Venkatesh,
Standing Counsel

For Respondent R2 : M/s.Karthika Ashok
Standing Counsel



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the Respondent to grant electricity service connection to the petitioner's bunk shop by considering his representation dated 08.12.2018.

2. Heard the arguments advanced on either side.

3. The case of the petitioner is that the petitioner is running a bunk shop situated at Ayyapan Koil, Backside of Anna Nagar Tower, 6th Main Road, Anna Nagar, Chennai-600 040 and selling fruits for a past several years in a hygienic manner. Suddenly there was a interference by the Corporation officials with the running of the above bunk shop. Therefore the petitioner file a Writ Petition in W.P.No.20886 of 2017 to consider the representation dated 28.07.2018 as per the provisions of Street Vendors (Protection of Livelihood Regulation) Act 2014 and vide order dated 04.08.2017, this Court had passed an order directing the Vending Committee constituted by the Government of Tamil Nadu and the Corporation of Chennai to consider the petitioner's representation dated 28.07.2018 and pass order within 3 months in accordance with law, but even after 3 months no order has been passed. Therefore, the petitioner sent another representation to the Respondent on 08.12.2018 to give electricity service connection and till date no action was taken and the electricity connection was not given to the petitioner's shop. Hence, this writ petition.

4. The learned counsel appearing for the petitioner submitted that the petitioner on 08.12.2018 made representation to the respondent to provide electricity service connection to his bunk, but till date no steps were initiated. He further submitted that due to non-supply of electricity, the petitioner is unable to run his bunk after 6pm which is adversely affecting his financial situation and he is struggling to meet his daily needs. He also submitted that the petitioner is ready to pay the necessary Security Deposit and service connection charges etc, but no response was received from the respondent. Hence he submitted that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation and provide electricity service connection to the petitioner's bunk.

5. Learned counsel for the respondent submitted that the petitioner's bunk is situated near the temple which will come within the non-vending zone, but not yet identified. However, she submitted that the petitioner's representation will be



considered on the basis of whether the petitioner's bunk comes under the non vending zone or not and orders would be passed.

6. Considering the submissions made by the learned counsel appearing for the parties, this Court is inclined to issue direction to the respondents to consider the petitioner's representation and verify whether the petitioner's bunk is within the vending zone or not and issue appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

skt

To

1. The Assistant Engineer,
Office of the Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
No.182-A, 5th Avenue,
Anna Nagar, Chennai 600 040.
2. The Commissioner,
Corporation of Chennai,
Rippon buildings,
Chennai- 600 003.

+1cc to M/s.R.Kamaraj, Advocate, S.R.No.58694

W.P.No.6749 of 2019

KSM(CO)
RLP(01/12/2021)