

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23/3/2021
C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.7297 of 2021
a n d
W.M.P.No.7801 of 2021

S. Rangarajan

... Petitioner

Vs

Tamil Nadu Generation and
Distribution Corporation Ltd
rep. By its Assistant Executive Engineer
Distribution Section
Pallavaram
Chennai 600 043.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to forthwith restore the Electricity Service Connection bearing No.246-260-931 to the petitioner's building at Door No.2/604 A, Darga Road, Trisulam, Chennai 600 043, on payment of necessary restoration charges, based on the application of the petitioner dated 25/2/2021.

For petitioner Mr.K. Selvaraj

For respondents Mr.P. Gunaraj
Standing Counsel

O R D E R

This writ petition is filed to direct the respondent, to forthwith restore the Electricity Service Connection, bearing No.246-260-931 to the petitioner's building, at Door No.2/604 A, Darga Road, Trisulam, Chennai 600 043, on payment of necessary restoration charges, based on the application of the petitioner, dated 25/2/2021.

2. The petitioner is the owner of the building, bearing Door No.2/604 A, Darga Road, Trisulam, Chennai. He has leased out the said building, in favour of one Noor Mohammed, for carrying on the business of Ice Plant. When the respondent

officials inspected the petitioner's premises, on 11/11/2020, they have found there is tampering of electricity meter and hence, they have made a demand of Rs.81,086/-, as penalty.

3. The respondent has registered a case in Crime No.1033 of 2020 against the petitioner and tenant, on the file of Pallavaram Police Station. The petitioner and tenant have filed Criminal Original Petition No.19515 of 2020, before this Court for anticipatory bail and this Court, vide order, dated 5/1/2021, has granted anticipatory bail, on condition, the petitioner should deposit a sum of Rs.81,086/-. Pursuant to the said order, the petitioner and tenant have deposited a sum of Rs.81,086/-, before the learned Judicial Magistrate No.II, Tambaram, on 23/2/2021.

4. In fact, the electricity consumption charges of Rs.1,54,119/- was paid by the tenant, on 14/11/2020. Despite the same, the respondent has disconnected the service connection for non payment of the assessment amount of Rs.81,086/- and hence the petitioner has filed this writ petition, praying for the relief stated supra.

5. Mr.Gunaraj, learned Standing Counsel takes notice for the respondent and would submit that the petitioner has deposited the sum of Rs.81,086/-, before the Judicial Magistrate No.II, Tambaram, where a criminal case is pending and the penalty which has been imposed by the respondent Board has not been paid and therefore, his service connection was disconnected.

6. Considering the fact that the actual consumption charge of Rs.1,54,119/- has been paid by the petitioner, on 14/11/2020 and apart from that Rs.81,086/- has been deposited before the Judicial Magistrate, Tambaram, in Crime No.1033/21, vide receipt No.0448409, this Court is inclined to allow the writ petition, with a direction to the respondent to restore the EB service connection of the petitioner, bearing No.246-260-931 forthwith and it is also open to the respondent to proceed with all other proceedings, which is contemplated as per Act. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mvs

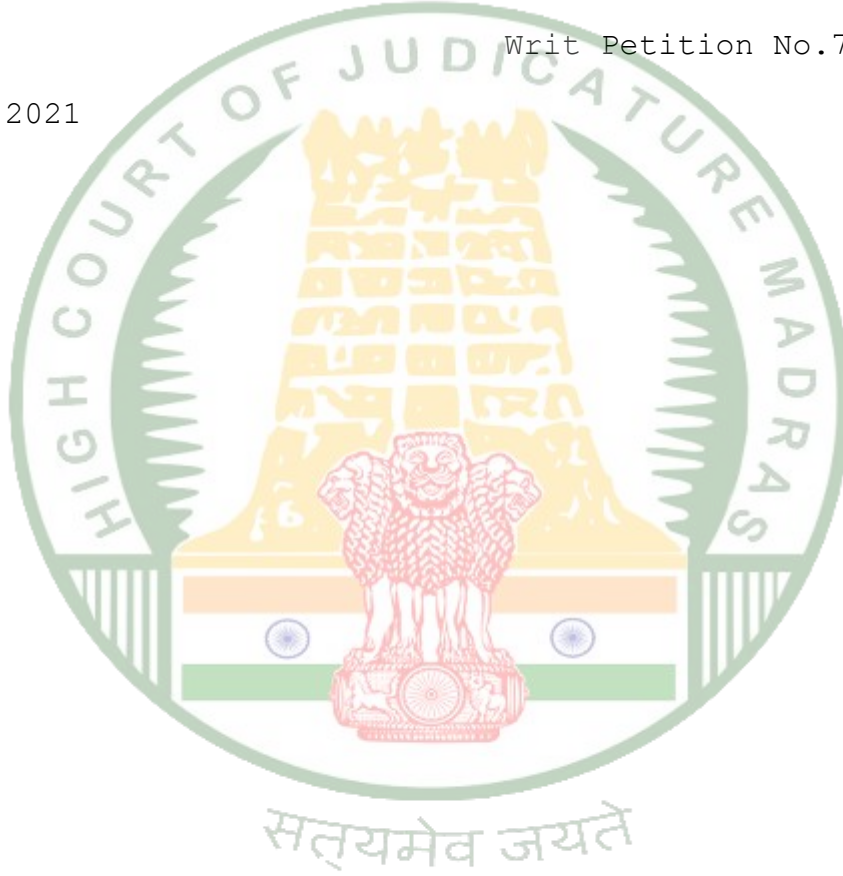
To

The Assistant Executive Engineer
Tamil Nadu Generation and Distribution Corporation Ltd
Distribution Section
Pallavaram
Chennai 600 043.

+lcc to Mr.P.Gunaraj, Advocate, S.R.No.18945.
+lcc to Mr.K.Selvaraj, Advocate, S.R.No.18551.

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AD(CO)
CSR 25.03.2021



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