

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.7920 of 2015

(Through Video Conferencing)

Esakiammal

... Petitioner

Vs.

1.The Superintendent Engineer,
Consumer Grievance Redressal Form,
Tamil Nadu Electricity Board North Division,
Tamil Generation and Distribution
Corporation Limited,
No.800, Anna Salai, Chennai - 40.

2.The Assistant Executive Engineer,
Tamil Nadu Electricity Board North Division,
Tamil Generation and Distribution
Corporation Limited,
Red Hills, Chennai - 52.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent herein to refund the caution deposit and other deposits totaling a sum of Rs.50,500/- payable to the petitioner pursuant to the representation dated 14.03.2014.

For Petitioner : Mr.V.Karnan

For Respondents: Mr.P.R.Dilip Kumar
Standing Counsel

O R D E R

This case was heard at length on sometimes and adjourned from time to time.

2. The learned counsel for the petitioner submits that the petitioner had paid a sum of Rs.50,500/- as caution deposit for obtaining a electricity connection to a small scale unit proposed to be set up by the petitioner. However, the respondents failed to give electricity connection. He further submits that the petitioner has given up the hopes of setting up the small scale unit on account of her health conditions.

3. The learned counsel for the petitioner further submits that since the respondents have neither refunded the caution deposit paid by the petitioner for setting up the small scale units nor have given the electricity connection to the said small scale unit, the petitioner had sent a representation dated 14.03.2014 to the respondents to refund the amount of Rs.50,500/- after deducting the registration fees which was paid on 18.12.2010 and 03.02.2011 respectively. However, the respondent have not responded to the said representation of the petitioner.

4. Under these circumstances, the petitioner has filed this Writ Petition, to direct the first respondent to refund the caution deposit and other deposits totaling a sum of Rs.50,500/- payable to the petitioner pursuant to the representation dated 14.03.2014.

5. Today when the case is taken up hearing, the learned standing counsel for the respondents submits that the petitioner had deposited a sum of Rs.50,500/- as caution for connecting an electricity connection for setting up a small scale units.

6. He further submits that the petitioner had paid the requested charges for the electricity connection. However, when the officials of the Electricity Board went for giving electricity connection, there were objections from the neighbours stating that the small scale unit proposed to be set up by the petitioner would result in pollution and therefore, no electricity connection could be granted.

7. Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

8. Since the dispute in this Writ Petition lies in a short compass, based on the submission of the learned standing counsel for the respondents, I allow this Writ Petition by directing the respondents to refund the amount paid by the petitioner after deducting the appropriate charges pursuant to the representation given by the petitioner on 14.03.2014, within a period of thirty days from the date of receipt of a copy of this order. No cost.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

To

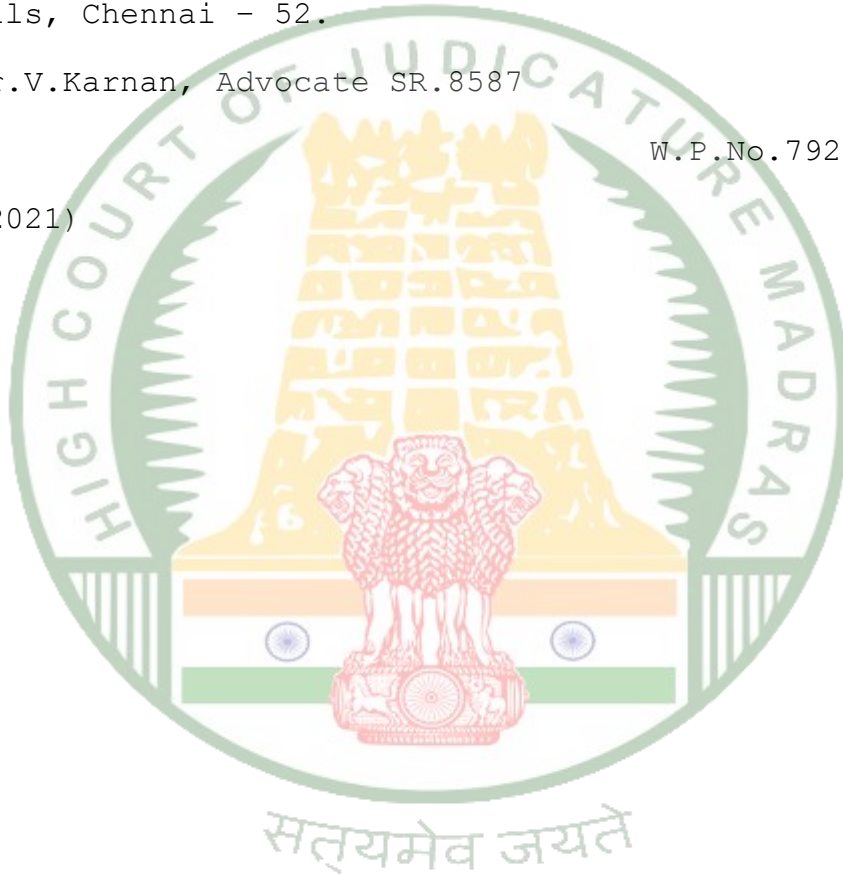
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+1cc to Mr.V.Karnan, Advocate SR.8587

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