

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Twelfth day of May Two Thousand Twenty One

PRESENT

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WMP No.12145 of 2021

in WP.No.9667 of 2021

R.SURESH

[PETITIONER]

Vs

1 THE SUPERINTENDING ENGINEER

[RESPONDENTS]

TANGEDCO, CEDC, WEST, NO.110,
SS COMPLEX, THIRUMANGALAM, CHENNAI - 40.

2 THE ASSISTANT EXECUTIVE ENGINEER,
O AND M,/ CEDC/WEST, TANGEDCO,
ARUMBAKKAM, CHENNAI 600 106.

3 THE ASSISTANT ENGINEER,
TANGEDCO, NO.253, P-BLOCK, M.M.D.A.
COLONY, ARUMBAKKAM, CHENNAI 600 106.

4 THE ANTI-POWER THEFT SQUAD
TANGEDCO, NO.144, ANNA SALAI,
CHENNAI 600 002.

5 SHAJAHAN,

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Modify the condition - "(b) Thereafter, the Petitioner shall also deposit the balance amount in two equated monthly instalments. The first installment shall be made on or before 05.05.2021 and the second installment shall be made on or before 05.06.2021, failing which, the respondent authorities are entitled to disconnect the service connection with immediate effect" made in order dated 19.04.2021 made in WP.No.9667 of 2021, WMP.Nos.10241 and 10242 of 2021(in WMP.No.12145/2021)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.B.MANO HARAN, Advocate for the petitioner and of M/S.P.R.DHILIPKUMAR, Advocate for the 1 to 4 respondents the court made the following order:-

This Miscellaneous Petition has been filed to modify the condition (b) imposed by this Court on 19.04.2021 in W.P.No.9667 of 2021.

2. When the Writ Petition was listed on 19.04.2021, this Court has passed the following order:

"(a) The petitioner shall pay a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the respondents; and on such payment being made, the respondents shall restore the service connection to the petitioner's property immediately;

(b) Thereafter, the petitioner shall also deposit the balance amount in two equated monthly instalments. The first instalment shall be made on or before 05.05.2021 and the second instalment shall be made on or before 05.06.2021, failing which, the respondent authorities are entitled to disconnect the service connection with immediate effect."

3. The learned counsel appearing for the petitioner submitted that due to covid pandemic he could not comply with the second condition imposed by this Court on 19.04.2021 in time and hence seeks modification of the said condition.

4. Mr. P.R. Dilipkumar, learned counsel appearing for the fourth respondent strongly opposed for modification of the above order stating that these facts have to be considered while passing the final order.

5. Considering the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner that due to covid pandemic, he was not able to comply with the condition (b) in time, this Court is inclined to modify the condition (b) as follows:

"(b) Thereafter, the petitioner shall also deposit the balance amount of Rs.78,412/- in two equated monthly instalments i.e., a sum of Rs.39,206/- in each instalment. The first instalment shall be made on or before 28.05.2021 and the second instalment shall be made on or before 21.06.2021, failing which, the respondent authorities are entitled to disconnect the service connection with immediate effect.".

6. It is made clear the that if the petitioner failed to comply with the above condition, the respondents are at liberty to disconnect the service connection of the petitioner's property.

7. Accordingly, this Miscellaneous Petition is disposed of.

8. Post for compliance on 23.06.2021.

-sd/-
12/05/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

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TANGEDCO, CEDC, WEST, NO. 110, SS COMPLEX,
THIRUMANGALAM, CHENNAI - 40.

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O AND M, / CEDC/WEST, TANGEDCO,
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M.M.D.A. COLONY, ARUMBAKKAM,
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4 THE ANTI-POWER THEFT SQUAD
TANGEDCO, NO. 144, ANNA SALAI,
CHENNAI 600 002.

C.C. to M/S.B.MANOхарAN Advocate, Sr.No.3145

Order

in

WMP No.12145 of 2021

in WP.No.9667 of 2021

Date :12/05/2021

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