



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.11642 of 2020

Ellaiyammal

... Petitioner

vs.

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Maintenance and Distribution Circle,
Housing Board Second Phase,
Krishnagiri,
Krishnagiri District.

2. The Assistant Engineer,
Tamil Nadu Electricity Board,
Maintenance and Distribution Circle,
Housing Board Second Phase,
Krishnagiri,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondents herein to restore the Electricity service connection bearing No.08016004640 given to the Petitioner's house bearing Door No.183, Chennai Road, Krishnagiri, Krishnagiri Taluk and District, forthwith, pursuant to the representation dated 18.08.2020 given to the Respondents.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.L.Jai Venkatesh

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to restore the Electricity service connection bearing No.08016004640 given to her house bearing Door No.183, Chennai Road, Krishnagiri, Krishnagiri Taluk and



District, forthwith, pursuant to the representation dated 18.08.2020 given to the Respondents.

2. According to the Petitioner, her husband viz. Salaiyappan purchased a house site from one Kuppan in Survey No.659, Boganapalli Village, Krishnagiri Taluk and District measuring an extent of 3100 sq. ft. for a sale consideration of Rs.13,000/-. After taking possession of the said land, he constructed a building thereon and paid house tax to Krishnagiri Municipality till his life time. With regard to the aforesaid property, the Petitioner's husband executed a Settlement Deed in her favour vide Document No.807 of 2004, dated 06.05.2004 registered in the Office of S.R.O., Krishnagiri. After her husband's death, the Petitioner effected mutation in the revenue records and changed the property in her name and she is the absolute owner of the said property and is in continuous possession and enjoyment of the same.

3. The case of the Petitioner is that, she paid electricity consumption charges till July 2020 for the aforesaid property and thereafter, Respondents did not receive electricity consumption charges. But, to her shock, Respondents disconnected electricity service connection to her property without any notice. In that regard, the Petitioner made a representation dated 18.08.2020 to the Respondents. As no action is taken on her representation, having no other alternative, the Petitioner is before this Court with the above Writ Petition.

4. Learned counsel for the Petitioner submitted that, this Court may issue a direction to the Respondents to consider the Petitioner's representation dated 18.08.2020 within a stipulated time.

5. Learned Standing Counsel appearing for the Respondents submitted that, electricity service connection to the Petitioner's property was disconnected for non-payment of consumption charges and that, if the Petitioner pays the electricity consumption charges due to the Board, electricity service connection will be restored to her premises, forthwith.

6. Considering the facts and circumstances of the case and taking note of the submissions of the learned counsel on either side, this Court directs the Petitioner to pay the electricity consumption charges, if any, due to the Respondent/Board. On receipt of payment of dues from the Petitioner, the Respondent/Board shall consider the Petitioner's representation



dated 18.08.2020 in accordance with law and pass appropriate orders after affording an opportunity of hearing to the Petitioner, within a period of four weeks.

The Writ Petition is disposed of accordingly. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

(aeb)

To:

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Maintenance and Distribution Circle,
Housing Board Second Phase,
Krishnagiri, Krishnagiri District.
2. The Assistant Engineer,
Tamil Nadu Electricity Board,
Maintenance and Distribution Circle,
Housing Board Second Phase,
Krishnagiri, Krishnagiri District.

+1cc to Mr.L.Jaivenkatesh, Advocate Sr.69649

W.P.No.11642 of 2020

svI[co]
srg 10/01/2022