



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P. No. 19677 of 2021

M. Sathyanarayanan
S/o/ the late S. Meeriah
Flat No.2, Ground Floor,
Indira Arcade Apartments,
No.19, Govindan Street, Ayyavu Colony,
Aminjakarai, Chennai - 600 029. ...Petitioner

Vs.

1. The Chairman
Tamil Nadu Electricity Board(TNEB)
No.825, Link Road, Anna Salai,
Chennai - 600 002.

2.The Assistant Executive Engineer
Electricity Board Office, Pammal
No.33/11 K V, LIC Colony,
Beside Sri Venkateshwara Bakery,
Pammal, Chennai - 600 075

3.S.Ravishankar,
S/o.K.Shanmuga Sundaram,
No.27/11, Galilie Square,
Lakshmi Street, New Avadi Road,
Kilpauk, Chennai - 600 010.

4.R.Padmavathy
W/o/Mr.S.Ravishankar
No.27/11, Galilie Square,
Lakshmi Street, New Avadi Road,
Kilpauk, Chennai - 600 010. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to call for records of the 2nd respondent in Letter No.AE/O&A/Pammal/F.SC/D.102A/2021 dated 12.08.2021 to quash the same and direct the 2nd respondent to provide the electricity board connection bearing consumer No.247-302-599 for Pammal property in the name of the petitioner and his wife, S. Vijayapriya in the property situated at:-



Schedule (Pammal Property)

All that land and building situated on the (eastern portion and the extreme northern portion) bearing Old Door Nos.151,151A, 151B,151C and 151D, New Door No.100 Pammal Main Road, Pammal Village, Chennai 600 075, comprised is S.No.12, (Patta No.523, as per Patta T.S.No.12/213), Previously in Alandur Taluk, presently in Pallavaram Taluk, Kancheepuram District, measuring:

North to South on the Eastern side - 106 ft.,

North to South on the Western side - 106 ft.,
(97 feet 6 inches, 21 feet 9 inches + 8 feet 6 inches)

Eastern to Western on the Souther side - 18 feet 3 inches

Eastern to Western on the Northern side - 40 ft.,
Measuring to the total extent of 2120 Sq.ft., (out of 4240 Sq.ft.,)

Bounded on the

North by - Municipality Office Water Tank and Road

South by - Pammal Main Road

East by - House property belonging to Thangavelu
Achari and land belonging to Municipal Office

West by - Portion allotted to the Defendants
(S. Ravishakar & R.Padmavathy)

The above property is consisting of land and the building constructed in the ground, first and second floor.

The property described above has been shown and coloured Blue in the plan annexed herewith.

Situated within the limits of Chennai Corporation Registration District of Chennai South and Sub-Registration District of Pammal.

For Petitioner : M/s.Gladys Daniel

For Respondent : Mr.L.Jaivenkatesh
Standing counsel



ORDER

The subject matter of challenge in the present writ petition pertains the impugned letter issued by the 2nd respondent dated 12.08.2021 and for a consequential direction to the 2nd respondent to provide service connection by putting up a separate Board in the name of the petitioner and his wife in the subject property.

2. When the matter was taken up for hearing on 16.09.2021, this Court passed the following Order:

"Mr.A.Selvendran, learned standing counsel, takes notice for the respondents 1 and 2. The learned standing counsel appearing on behalf of the first and second respondents, based on written instructions, submitted that the current consumption charges that is due and payable for the existing connection works out to a sum of Rs.1,19,524/- after adjusting the security deposit that is already available in the name of the third respondent. The learned counsel therefore, submitted that if the petitioner pays a sum of Rs.1,19,524/-, the respondents will provide for a separate service connection for the property in the name of the petitioner.

The learned counsel for the petitioner shall take instructions as to whether the petitioner is willing to pay this amount and get the service connection and thereafter recover the same from the third respondent as per the compromise decree or the petitioner is contesting this amount. Based on the instructions received by the learned counsel for the petitioner, final orders will be passed in the present writ petition. Post this case under the caption immediately after admission on 23.09.2021."

3. When the matter was taken up for hearing today, the learned counsel for the petitioner submitted that since the petitioner is in need of service connection, the petitioner will pay the sum of Rs.1,19,524 to the 2nd respondent and get a separate service connection. The learned counsel further submitted that liberty may be granted to the petitioner to recover this amount from the 3rd respondent, in line with the consent decree that was passed in C.S.No.475 of 2019 dated 18.12.2019.



4. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, it is left open to the petitioner to make the necessary payment to the 2nd respondent. On receipt of the same, the 2nd respondent shall provide the service connection in the name of the petitioner and his wife. This process shall be completed, within a period of two weeks from the date of receipt of a copy of this order.

5. It is also made clear that it will be left open to the petitioner to recover the amount paid to the 2nd respondent from the 3rd respondent in line with the judgment and decree passed in C.S.No.475 of 2019 dated 18.12.2019.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

RAP/RR
To

1. The Chairman,
Tamil Nadu Electricity Board(TNEB),
No.825, Link Road, Anna Salai,
Chennai - 600 002.
2. The Assistant Executive Engineer,
Electricity Board Office, Pammal,
No.33/11 K V, LIC Colony,
Beside Sri Venkateshwara Bakery,
Pammal, Chennai - 600 075.

+2cc to M/s.Daniel & Gladys Advocate Sr.48885
+1cc to Mr.L.Jaivenkatesh, Advocate Sr.48944

W.P.No. 19677 of 2021

sj[co]
srg 18/10/2021