



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2021

CORAM :

The Hon'ble Mr.JUSTICE T. RAJA

AND

The Hon'ble Mr. JUSTICE V.SIVAGNANAM

W.A.No.56 of 2014

and M.P.No.1 of 2014

1. The Superintending Engineer,
Tamil Nadu Electricity Board
Dharmapuri - 5.
 2. The Additional Chief Engineer,
Tamil Nadu Electricity Board,
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 636 705
- Appellants/Respondents

-vs-

Shahjahan

..... Respondent/Plaintiff

Writ Appeal filed under Clause 15 of Letters of Patent against the order of the learned Single Judge passed in W.P No. 3987 of 2004 dated 28.03.2012.

Prayer in W.P.No.3987 of 2004:

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Declaration declaring that the demand of the 2nd Respondent dated 10/01/2001 in his Letter NO.0624/Ku/Tha Po/VOP/Min/K.R S/2001 is void and illegal and for a consequential direction, directing the respondents to provide the petitioner new electricity connection to his premises bearing shed No.17, F.5 in SIDCO Industrial Estate, Kattganapalli Village in Krishnagiri Taluk forthwith.

For appellant :Mr.L.Jaivenkatesh
Standing Counsel

For respondents:Mr.V.Manohar



JUDGMENT

(Judgment of the Court was pronounced by T.RAJA, J.,)

WEB COPY

The present Writ Appeal is directed against the Order passed by the learned Single Judge in W.P No.3987 of 2004 dated 28.03.2012.

2. Learned Single Judge, while allowing the writ petition by setting aside the impugned order dated 10.01.2001, claiming a sum of Rs.89,890/- (Rupees eighty nine thousand eight hundred ninety only) as electricity pending charges on the said premises, gave a further direction to the appellants herein to provide electricity service connection to the writ petitioner to the premises-in-question, provided, he satisfies the other requirements.

3. During the pendency of the appeal, the docket order shows that on 02.08.2018, a request was made before this Court to refer the matter before regular Lok Adalat for settling the dispute between the parties. The docket order dated 02.08.2018 is as follows:-

" Learned counsel for the respective parties wanted the matter to be referred to regular Lok Adalat for settling the dispute between the parties.

2.We therefore direct the Registry to place the matter before the Regular Lok Adalat."

4. In the light of the above, the matter was placed before the Lok Adalat. Finally, it was agreed between the parties that the respondent/writ petitioner shall pay a sum of Rs.89,890/- (Rupees eighty nine thousand eight hundred ninety only) being the original electricity bill amount due and payable to the Electricity Board by the erstwhile owner of the premises viz., Manivel, but, BPSC amount of Rs.3,77,538/- has to be waived. Thereafter, a Memo of calculation has been filed.

5. Learned counsel for the appellants also fairly informed us that he has received instructions to say that the appellants have waived BPSC amount of Rs.3,77,538/-.

6. Learned counsel for the respondent has sought for four weeks time to pay the amount of Rs.89,890/-(Rupees eighty nine thousand eight hundred ninety only) alone, as the appellant has already waived BPSC amount of Rs.3,77,538/-.



7. Recording the undertaking given by the learned counsel for the respondent, four weeks' time is granted to the respondent/writ petitioner to pay the sum of Rs.89,890/- (Rupees eighty nine thousand eight hundred ninety only). On such payment being received by the appellant, electricity service connection, if not given earlier, shall be provided.

8. With the above direction, the writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Superintending Engineer,
Tamil Nadu Electricity Board
Dharmapuri - 5.
2. The Additional Chief Engineer,
Tamil Nadu Electricity Board,
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 636 705.

+1cc to Mr.V.Manohar, Advocate Sr.36893
+1cc to Mr.L.Jaivenkatesh, Advocate Sr.37464

W.A.No.56 of 2014

ssi[col]
srg 23/08/2021