

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No. 15611 of 2014
(Through Video Conferencing)

C.Palanivel,
S/o.Chinnai Arasu Pathithar

...Petitioner

Vs

1. The Junior Engineer,
Tamilnadu Electricity Board,
(Operation & Maintenance)
Mannarkudi, Thiruvarur District.
2. The Executive Engineer,
Tamilnadu Electricity Board,
Mannarkudi, Thiruvarur District.
3. The Superintending Engineer,
Tamilnadu Electricity Board,
Nagapattinam, Nagapattinam District.
4. The Chief Engineer,
Tamilnadu Electricity Board,
Tiruchirappalli Region,
Tiruchirappalli.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to effect the reconnection of the disconnected III Phase Motor Pumpset Service Connection availed by the petitioner at Melanameli Village in Service Connection No.330 (SFS) within the limits and control of the first respondent at Mannarkudi (Rural West).

For Petitioner : Mr.M.Subramaniam
For R1 to R4 : Mr.P.Gunaraj

ORDER

The petitioner has filed the present writ petition for issuance of Mandamus, to direct the respondents to effect the reconnection of the disconnected III Phase Motor Pump set service connection availed by the petitioner at Melanameli Village in Service Connection No.330 (SFS) within the limits and control of the 1st respondent at Mannarkudi (Rural West).

2. The petitioner had obtained a III Phase Service Connection on 17.11.1995 under the Self-Financing Scheme announced by the Tamil Nadu State Government. The connection was disconnected by the 1st respondent on 16.02.1999 for arrears of payment. Under these circumstances, the petitioner approached the respondents for reconnection of service and also assured to pay any arrears for electricity connection charges consumed by him.

3. However, the respondents did not consider the same. Under these circumstances, the petitioner approached the District Consumer Disputes Redressal Forum, Thiruvarur in C.C.No.7 of 2009. Before the District Consumer Disputes Redressal Forum, the petitioner had stated that there was a deficiency of service by the respondents. By an order dated 19.11.2009, the said petition was dismissed by District Consumer Disputes Redressal Forum, Thiruvarur.

4. However, during the interregnum the petitioner has also pursued with the respondents for a fresh connection. No connection has been given so far to the petitioner.

5. The learned counsel for the respondents defend the refusal to give electricity connection to the petitioner on the ground that the application for reconnection of electricity connection was made beyond the period contemplated under G.O.No.22 dated 14.02.2001.

6. I have considered the arguments of the learned counsel for the petitioner and the respondents. I have also perused the records.

7. From the records that has been filed before this Court, it is noticed that the application for reconnection was made as early as on 28.03.2000, whereas the disconnection made on 16.02.1999. Thus, it cannot be said that the application was filed beyond the period of two weeks. In any event, the petitioner has given an undertaking to pay the arrears of charges which led to disconnection of the electricity connection on 16.02.1999. Therefore, I am inclined to allow this writ petition. The petitioner shall pay the arrears of electricity bill charges together with interest at 7.5% for the due date within a period of 60 days of receipt of this order. On such payment, the respondents shall restore the connection within 15 days thereof.

8. Accordingly, this Writ Petition stands allowed with the above observation. No costs.

Sd/-
Assistant Registrar (CS IV)

//True copy//

Sub Assistant Registrar

arb

To

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Tiruchirappalli.

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PPA (CO)
KKV/05/03/2021

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