



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 21092 of 2021

D.Vignesh

... Petitioner

/Vs/

1. The Chairman,
Tamil Nadu Electricity Board (TNEB),
144, Anna Salai,
Chennai 600 002

2. The Assistant Engineer (Adyar),
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
33/11, KV Besant Nagar, SS Complex,
40A, First Main Road,
Besant Nagar, Chennai 600 090

3. The Joint Commissioner / Executive Officer,
Arulmighu Arunachaleswarar Temple,
Tiruvannamalai.

... Respondents

* R3 suo-moto impleaded vide order dated 20.10.2021 made in W.P.No.21092 of 2021.

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, directing the 2nd Respondent to forthwith grant LT Electricity service Connection to the petitioner's house bearing door No. 5/3, 1st Street Arunachalapuram, Adyar, Chennai- 600 020 based on the application of the petitioner dated 06.08.2021.

For Petitioner : Mr.S.Indrajith

For Respondents : Mr.L.Jaivenkatesh,
Standing Counsel.

ORDER

The present petition has been filed seeking issuance of a Writ of Mandamus directing the 2nd respondent to grant LT Electricity Service connection to the petitioner's house pursuant to the petitioner's application dated 06.08.2021.

2. The case of the petitioner is that the petitioner is residing in the property owned by the Arulmigu



Arunachalaswarar Temple. While being so, the petitioner submitted an application dated 06.08.2021 to the 2nd Respondent for grant of LT Electricity Service Connection to the petitioner's house and he has also submitted the relevant documents required for effecting service connection. Having paid the monthly rent without any default and also having paid the charges to the tune of Rs.6,618/- on 09.08.2021 for effecting the electricity service connection to the petitioner's house, no action has been taken by the 2nd Respondent in respect of the petitioner's application dated 06.08.2021. Hence, the petitioner has filed the present petition seeking the above relief.

3. Learned counsel for the petitioner submits that the petitioner having paid the required charges and having produced the relevant documents and also having submitted the indemnity bond as per Form 6 of Annexure III of the Tamil Nadu Electricity Distribution Code, 2004 to the 2nd Respondent as per Clause 27(4) of the said Code, till date the petitioner has not been provided with the electricity service connection. He further submits that it would suffice if this Court directs the 2nd respondent to consider the petitioner's application dated 06.08.2021 and grant LT Electricity Service Connection within the time frame fixed by this Court.

4. Learned standing counsel for the Respondents fairly conceded that since the petitioner is residing in the property belonging to the temple, the petitioner has to obtain the No Objection Certificate from the Temple Authorities concerned and produce the same before the 2nd respondent. Upon producing the NOC, the petitioner's application will be considered in terms of Clause 27(4) of the Tamil Nadu Electricity Distribution Code, 2004 and the Service Connection will be effected to the petitioner's house within a period of six weeks.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. In view of the submission made by the learned counsel for the respondents that electricity service connection would be provided to the petitioner's house within a period of six weeks, without going into the merits of the case, this Court directs the petitioner to make a representation to the 3rd respondent for grant of No Objection Certificate within a period of two weeks from the date of receipt of a copy of this order. If any such application is filed, the 3rd respondent is directed to consider the same in accordance with law and pass appropriate orders if the petitioner is an authorized occupant, within a period of four weeks thereafter. If the petitioner secured the NOC, the petitioner shall submit the same along with the application to the 2nd respondent and the 2nd Respondent is directed to consider the same and pass appropriate orders, within a period



of six weeks from the date of submission of NOC.

7. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

WEB COPY

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

NHS

To

1. The Chairman,
Tamil Nadu Electricity Board (TNEB),
144, Anna Salai,
Chennai 600 002
2. The Assistant Engineer (Adyar),
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
33/11, KV Besant Nagar, SS Complex,
40A, First Main Road,
Besant Nagar, Chennai 600 090
3. The Joint Commissioner /
Executive Officer,
Arulmighu Arunachaleswarar Temple,
Tiruvannamalai.

+1cc to Mr.D.G.Hariprasath, Advocate SR.No.68786

W.P.No. 21092 of 2021

SVI (CO)
GMY (21/01/2022)