



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.24057 of 2021

R. Madhiyalagan

... Petitioner

vs.

1. The Superintending Engineer,
TANGEDCO.
Dharmapuri.

2. The Assistant Engineer,
TANGEDCO,
Ilakkiyampatti,
Dharmapuri.

3. Manokaran.

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus, directing the 2nd respondent to provide electricity service connection to the petitioner's house situated at Town Survey No.12, Bharathipuram, Dharmauri Town and Taluk based on the on-line application No.20080090321484 dated 10.03.2021 forthwith.

For Petitioner : Mr. C. Prabakaran

For Respondents 1 & 2 : Mr. Abdul Kalam,
Counsel for EB.

ORDER

The petitioner has filed this petition seeking issuance of Writ of Mandamus directing the 2nd respondent to provide electricity service connection to the petitioner's house situated at Town Survey No.12, Bharathipuram, Dharmauri Town and Taluk based on the on-line application No.20080090321484 dated 10.03.2021 forthwith.



2. Mr. M. Abdul Kalam, learned Government Advocate takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that his mother executed the settlement deed of her property in his favour vide Document No.818 of 2006. Based on the settlement deed, the petitioner had constructed a new house in the said property. Aggrieved by the same, the petitioner's maternal uncle filed a suit in O.S.No.153 of 2019 on the file the Additional District Judge, Dharmapuri for partition claiming share in the said property and the same is pending. Such being the case, the petitioner made an application on 10.03.2021 seeking to provide electricity service connection. Since no action has been taken by the 2nd respondent on the application made by the petitioner, the petitioner sent a legal notice requesting to effect the electricity service connection. However, till date no action has been taken by the 2nd respondent on the application made by the petitioner. Hence the present Writ Petition has been filed by the petitioner with the above relief.

4. The learned counsel for the petitioner submits that despite the application being made by the petitioner before the 2nd respondent for providing electricity service connection and having paid the charges to the tune of Rs.9,740/- for effecting service connection, no action has been taken by the 2nd respondent. He further pointed out that the Rule 27 of Tamil Nadu Electricity Distribution Code, 2007 states that if an application made by the owner or occupier of the premises the electricity service connection shall be provided within one month after the receipt of the application. Since no action has been taken by the 2nd respondent till date, the present Writ petition has been filed.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the 2nd Respondent to provide electricity service connection to the petitioner's house in line with the Rule 27 of the Tamil Nadu Electricity Distribution Code, 2004, within the time frame fixed by this Court.

6. The learned Government Advocate submits that the petitioner's application dated 10.03.2021 will be considered by the Respondent within the time frame fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the Respondent to consider the petitioner's application dated



10.03.2021 and to provide electricity service connection to the petitioner's house in accordance with the Rule 27 of the Tamil Nadu Electricity Distribution Code, 2004 , within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Superintending Engineer,
TANGEDCO.
Dharmapuri.
2. The Assistant Engineer,
TANGEDCO,
Ilakkiyampatti,
Dharmapuri.

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.58363

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.58070

W.P.No.24057 of 2021

GPL (CO)
SU(02/12/2021)