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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM

THE HON'BLE Mr. JUSTICE D.KRISHNAKUMAR

W.P.No. 11911 of 2017

C.Packialakshmi

..Petitioner

Vs

1.The Chairman, T.N.E.B,
Annasalai,
Chennai-2.

2.The Assistant Engineer,
O&M/Ashok Nagar East,
TANGEDCO,
Chennai-600083.

3.P.Thirunaukkarasu.

..Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of mandamus, direction to the 2nd Respondent to receive and register the application and to give fresh electricity service connection comprised in Plot No.194, No.29/20, 13th Street, Ashok Nagar, T.Nagar Zone, Chennai-600017 Ground floor portion in the name of petitioner on the basis of application submitted by the petitioner on 20.04.2017 on getting the necessary charges within a time frame stipulated by this Hon'ble Court.

For Petitioner : Ms.Krithika for
Mr.L.G.Sahadevan

For Respondent No.1 & 2 : Mr.P.Gunaraj, TNEB
Respondent No.3 : No Appearance

O R D E R

The prayer sought for in the writ Petition is direction to the 2nd Respondent to receive and register the application and to give fresh electricity service connection comprised in Plot No.194, No.29/20, 13th Street, Ashok Nagar, T.Nagar Zone,



Chennai-600017 Ground floor portion in the name of petitioner on the basis of application submitted by the petitioner on 20.04.2017 on getting the necessary charges within a time frame.

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2. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents 1 & 2 and perused the records.

3. According to the learned counsel appearing for the petitioner, the petitioner and her children are living in a separate portion of the house belongs to her mother-in-law, who died intestate on 07.07.1997, leaving behind the petitioner's husband and her brother-in-law and two daughters as legal heirs. The petitioner's brother-in-law had disconnected the existing electricity service connection with a view to grab the property of the petitioner's husband.

4. The learned counsel appearing for the petitioner further submitted that the petitioner had made an application before the 2nd respondent to provide a new electricity connection for her separate portion in the said building, but the 2nd refused to receive the application stating reason that the 3rd respondent had made an objection. Hence the present writ petition.

5. This Court, on 07.07.2021, directed the respondents to inspect the petitioner's property and submit a report before this Court. Pursuant to the directions issued by this Court, the 2nd respondent has inspected the property and filed report, informing that the petitioner is living in the rear portion of the building in the ground floor. If the petitioner settle the entire dues of the consumption charges for the disconnected supply bearing Service No.228-003-226 along with BPSC (Belated Payment Surcharge), the claim of the petitioner can be considered by the respondent-Board as per clause 27(4) of the Tamil Nadu Electricity Distribution Code, 2004.

6. Considering the stand taken by the learned Standing Counsel appearing for the respondent-Board and the submissions made by the learned counsel appearing for the petitioner that the petitioner also agreed to pay the entire dues payable to the respondent-Board, the following directions are issued;



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i. The petitioner is directed to submit a fresh application along with relevant documents to the respondent-Board, within a period of four weeks from the date of receipt of a copy of this Order.

ii. On receipt of such application and on satisfaction of documents, the respondent-Board shall take necessary steps to effect the service connection to the petitioner's premises, as expeditiously as possible, preferably within a period of six weeks thereafter.

iii. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions is closed.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

1. The Chairman, T.N.E.B,
Annasalai,
Chennai-2.

2. The Assistant Engineer,
O&M/Ashok Nagar East,
TANGEDCO,
Chennai-600083.

+1CC to M/s.L.G.Sahadevan, Advocate, SR.No. 32832

W.P.No. 11911 of 2017

PMK(CO)
B.VC (26/08/2021)