



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10644 of 2021

M.Suguna Manokar

... Petitioner

Vs.

1. The Superintending Engineer,
TANGEDCO, Tiruchendur Division,
Thoothukudi District.
2. The Executive Engineer (Distribution),
Tamil Nadu Electricity and Distribution Corporation,
Tiruchendur, Thoothukudi District.
3. The Assistant Engineer,
Tamil Nadu Electricity and Distribution Corporation,
Nazareth, Thoothukudi District.
4. T.Immanuel Manohar ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to shift the EB service lines in connection No.370-011-670 which runs over the entrance door and across the wall of the petitioner's house and provide electricity line to the fourth respondent from the pole in front of the fourth respondent's house or through any other poles based on the petitioner's representation dated 23.04.2021.

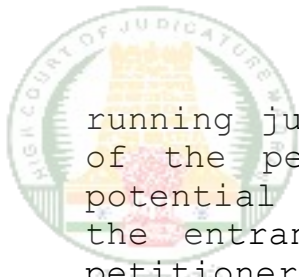
For Petitioner : Mr.K.Subbu Ranga Bharathi

For R-1 to R-3 : Mr.S.M.S.Johny Basha
Standing counsel

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the official respondents to shift the service lines that has been provided to the fourth respondent and provide electricity connection to the fourth respondent through an alternative route.

2. The grievance of the petitioner is that the official respondents have provided electricity connection to the fourth respondent from an electric pole, whereby, the service line is



running just over the entrance door across the wall of the house of the petitioner. According to the petitioner, it causes a potential danger to the petitioner, since the line is very near the entrance and it may cause danger to the petitioner. The petitioner has made a representation to the respondents 1 to 3 requesting for shifting the service line and has also undertaken to bear the cost. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. When the matter came up for admission, this Court directed the learned Standing counsel appearing on behalf of the respondents 1 to 3 to take instructions and report before this Court.

4. When the matter was taken up for hearing today, the learned Standing counsel appearing on behalf of the respondents 1 to 3 submitted that the fourth respondent can be given electricity service connection through an alternative route, but, however, the petitioner will have to bear the cost for the same. The learned counsel further submitted that there is an opposition from the fourth respondent for shifting the service line and therefore, the respondents are not able to proceed further to take a decision on the representation made by the petitioner.

5. In the considered view of this Court, a consumer is entitled for a service connection. At the same time, he can never have a say as to how this has to be given and from which pole, it has to be extended. In the present case, the apprehension of the petitioner is that the service line is running adjacent to the entrance and there is a possibility of an accident which may cause the life of the petitioner. The petitioner even undertakes to pay the entire cost for shifting the service line. By undertaking the exercise of shifting the service line to the fourth respondent from an alternative route, there can be no grievance for the fourth respondent since the service connection is not going to be withdrawn. The fourth respondent is going to enjoy the service connection from an alternative route. Therefore, the fourth respondent can never have an objection for the decision taken by the respondents 1 to 3.

6. In view of the above discussion, there shall be a direction to the third respondent to consider the representation made by the petitioner on 23.04.2021 and take steps to provide electricity service connection to the fourth respondent through an alternative route. It is made clear that the petitioner will have to incur the entire expenses in this regard.



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7. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

NOTE:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintending Engineer,
TANGEDCO, Tiruchendur Division,
Thoothukudi District.
2. The Executive Engineer (Distribution),
Tamil Nadu Electricity and Distribution Corporation,
Tiruchendur, Thoothukudi District.
3. The Assistant Engineer,
Tamil Nadu Electricity and Distribution Corporation,
Nazareth, Thoothukudi District.

+1 CC to M/s.P.ALWIN BALAN, Advocate (SR-21486[F] dated 07/07/2021)

Order made in
W.P. (MD) .No.10644 of 2021

Dated:

07.07.2021

CN(12.07.2021) 3P 5C