



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.Nos.10199 and 12196 of 2011

TNS Ravi Kumar

... Petitioner in
both Petitions

Vs.

1. The Chairman,
TNEB Headquarters,
NPKRR Maligai, 10th Floor,
144, Anna Salai, Chennai - 2.

2. The Assistant Engineer,
TNEB, Sevenwells,
No.23, Malaiappan Street,
Chennai - 600 001.

... Respondents 1 & 2 in
both Petitions

3. M/s.COSMO Foundation Ltd.,
Rep. by its Chairman, 16, Bank Street,
Halls Road, Chennai - 600 010. R3 W.P.No.10199 of 2011

(Respondent No.3 impleaded vide order dated 12.04.2022
in M.P.No.1 of 2012 in W.P.No.10199 of 2011)

... Respondents

PRAYER IN W.P.NO.10199 OF 2011: The Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to restore / re-connect the disconnected electricity service Connection No.109-075-866 on receipt of necessary charges to petitioner's premises bearing door No.511, Mint Street, Georgetown, Chennai - 600 079.

PRAYER IN W.P.NO.12196 OF 2011: The Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to restore / re-connect six illegally disconnected electricity service Connection Nos.109-075-881, 874, 878, 862, 879 and 863 by the second respondent on 30.03.2008 to the petitioner premises bearing door No.511, Mint Street, Georgetown, Chennai - 600 079.



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For Petitioner : M/s.M.Mahendra Kumar
in all W.Ps

For Respondent : M/s. L.Jai Venkatesh
Nos.1 & 2 Standing Counsel
in all W.Ps

For Respondent : M/s.MCGAN Law Firm
No.3 in all W.Ps

C O M M O N O R D E R

The present Writ Petitions have been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to restore / re-connect illegally disconnected electricity service Connection Nos.109-075-881, 874, 878, 862, 879, 863 and 866 by the second respondent on 30.03.2008 to the petitioner premises bearing door No.511, Mint Street, Georgetown, Chennai - 600 079.

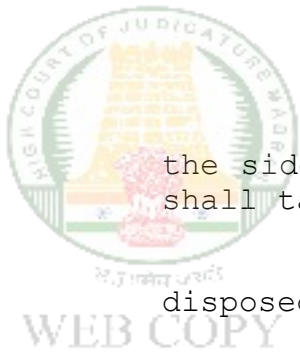
2. This Court, by its order dated 12.04.2022, appointed Mr.Sankar Ramasamy, as Advocate Commissioner, to conduct inspection and to find out the physical features of the building and also the occupiers of the building and electricity service connection particulars.

3. The learned Advocate Commissioner has filed a report on 27.04.2022, wherein it is reported that service connection Nos.109-075-862, 879 and 863 are existing and are used by the consumers concerned. Insofar as the service connection Nos.109-075-881, 874 and 878 are concerned, they were disconnected for non-payment of consumption charges on 30.06.2008 and 16.02.2009.

4. As per the Rules and Regulations of the Electricity Board, the consumer shall restore the service connection within a period two years. If it is not restored on payment of dues, it will lapse. In the instant case, it was not done and that two years period had lapsed long back. Therefore, it is not feasible to give a direction to restore the electricity service connections.

5. The learned counsel for the petitioner submits that they may be given liberty to apply for a new connection.

6. According to the learned counsel for the respondents, a civil litigation with regard to the title is pending and he is the title holder. In the event of any application made by either of the parties to the Electricity Board, the Electricity Board is directed to give notice to both



the sides and afford an opportunity of personal hearing and then shall take a decision in accordance with law.

With the above observations, these Writ Petitions are disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
TNEB Headquarters,
NPKRR Maligai, 10th Floor,
144, Anna Salai, Chennai - 2.
2. The Assistant Engineer,
TNEB, Sevenwells,
No.23, Malaiappan Street,
Chennai - 600 001.
3. The Chairman,
M/s.COSMO Foundation Ltd.,
16, Bank Street, Halls Road,
Chennai - 600 010.

+1cc to M/s.MCGAN Law Firm, Advocate, S.R.No.29972
+1cc to M/s. L.Jai Venkatesh, Advocate, S.R.No.29758
+2cc to M/s.M.Mahendra Kumar, Advocate, S.R.No.29287

W.P.Nos.10199 and 12196 of 2011

MG(CO)
CT 24/05/2022