



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.4256 of 2022

&

W.M.P.No.4396 of 2022

V.Leelavathi

...Petitioner

Vs.

1. The Chairman and Managing Director,
TANGEDCO,
Anna Salai,
Chennai.
2. The Superintending Engineer (O & M),
Chengalpattu Electricity Distribution Circle,
TANGEDCO,
GST Road,
Chengalpattu - 603 001.
3. The Junior Engineer (O & M)
TANGEDCO,
Thirunindravur Electricity Station/Section,
Thirunindravur - 602 024.
4. The Assistant Engineer, (O & M)
TANGEDCO,
Thirunindravur Electricity Station/Section,
Thirunindravur - 602 204.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to provide domestic electricity Service Connection to petitioner's flats bearing No.G2 and F3, Aiswaryam Apartments, Door No.6, 6th Cross, 3rd street, Thiruvenkada Nagar, Thirunindravur, Avadi Taluk, Tiruvallur District by processing for online application No. 200095500222125 dated 10.02.2022, which is kept on hold citing pendency of the court case.

For Petitioner : Mr. R. Prabakar

For Respondents : Ms.Keerthana Shenoi for
L. Jai Venkatesh
Standing Counsel



O R D E R

Ms.Keerthana Shenoi, learned counsel for Mr.L.Jai Venkatsh, learned Standing Counsel accepts notice for the respondents and is armed with instructions enabling a final disposal of the matter. Hence by consent expressed by both learned counsel, this writ petition is taken up for final disposal even at the stage of admission.

2. The petitioner seeks a direction to R2 to R4 being the officials of the TANGEDCO to provide electricity service connection to her flats bearing nos. G2 and F3, Aiswaram Apartments, Door No.6, 6th Cross, 3rd Street, Thiruvankada Nagar, Thirunindravur, Avadi Taluk, Tiruvallur District. The petitioner has filed an application on 10.02.2022 seeking the same relief. It appears that the said applications are being kept on hold and the reason as revealed in the website of TANGEDCO for the delay is that a court case is pending, as between the brother of the petitioner and the builder.

3. The reason expressed is not liable to be accepted insofar as the Regulation 27 of the Tamil Nadu Electricity Distribution Code, 2004 provides that even in the event of an objection being put forth by the owner of the property TANGEDCO will provide the service connection as sought, subject to the applicant complying with the conditions imposed including furnishing of an indemnity bond by the occupant.

4. In the present case, the objection is by the builder, whose claims are pending adjudication before the Civil Court. That apart, petitioner undertakes to submit indemnity bond, as required by the respondents. With this, there is no further hurdle standing in the way of the relief sought. Mandamus as sought, is issued to the respondents to provide service connection to the petitioner, within a week from the petitioner complying with the conditions in terms of Regulation 27 of the Code including execution of the indemnity bond.

5. This writ petition stands disposed in the above terms. Consequently, connected writ miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

nst/ska



To

1. The Chairman and Managing Director,
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Chennai.
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TANGEDCO,
Thirunindravur Electricity Station/Section,
Thirunindravur - 602 204.

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.12703

+1cc to Mr.R.Prabakar, Advocate, S.R.No.12948

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&
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GPL(CO)
SU(01/04/2022)