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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.6702 of 2022

P.Arulprakash

...Petitioner

Vs

1.The Assistant Engineer,
O&M, Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
Raj Bhavan, CEDC/South-I,
Guindy, Chennai-600 032.

2.Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Buildings,
Chennai - 600 003.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 1st Respondent in his proceedings in Ack/Reg. Number 200092120322149 / 2120322149 and Quash the Impugned Letter dated 14.03.2022 as highly illegal and unconstitutional and further direct the 1st Respondent to provide Electricity Service Connection to the Petitioners' Bunk Shop in the name and style of "Gandhi Cool Bar" located near Little Mount AG Church, near Casa Grand Apartments, Little Mount, Saidapet, Chennai-600015 without insisting for a No Objection Certificate from the 2nd Respondent herein.

For Petitioner : Mr.J.Ashok
for Ms.L.Srileka

For Respondents : Ms.Keerthana Shenoi (for R1)
for Mr.L.Jai Venkatesh
Standing Counsel
Mr.Rahul Aditya (for R2)
for Ms.P.T.Ramadevi
Standing Counsel



O R D E R

The petitioner seeks a quashing of letter dated 14.03.2022, rejecting his request for supply of electricity connection to a bunk shop that he manages under the name and style of 'Gandhi Cool Bar' located near Little Mount, AG Church, Saidapet, Chennai-600 015, on the ground that no certificate of no-objection was obtained from the Greater Chennai Corporation in that regard.

2.The petitioner, who claims to be differently abled having a permanent disability of 90% on account of Post Traumatic Sequela in the left hand, states that he runs a bunk shop as aforesaid and had approached this Court in W.P.No.26897 of 2021 seeking a mandamus directing the Chairperson of the Township Vending Committee, Zone No.13 to consider and pass orders on his representation dated 03.11.2021 in terms of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

3. The writ petition came to be disposed on 20.12.2021, this Court issuing a direction to the respondents as sought for. The Chairman of the Town Vending Committee was directed to dispose the representation within a period of eight weeks from date of receipt of copy of that order and the petitioner was protected in the interim.

4.Today Mr.Rahul Aditya, learned counsel for Ms.P.T.Ramadevi, learned counsel appears on behalf of R2 / Greater Chennai Corporation would agree that the aforesaid direction of this Court has not been complied with. He would assure the Court however, that the petitioner will be heard and his request for grant of an alternate suitable site also be considered sympathetically by R2. This becomes necessary by reason of the fact that the present location of the petitioner bunk shop falls in an area that has been earmarked by the committee to be a non-vending zone.

5. This Court expresses displeasure in the blatant non-compliance of the order passed earlier by the Court. There is thus a direction to R2 to comply with the earlier direction of this Court as issued on 20.12.2021, hear the petitioner and consider his request for relocation of bunk shop within a period of four (4) weeks from today. The application of the petitioner for service connection shall stand restored to the file of R1, who shall reconsider the same. In the light of decision to be taken by R2, such reconsideration, if at all shall be made within a week from orders being passed by R2.



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6.This writ petition is disposed as above. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

To

1.The Assistant Engineer,
O&M, Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
Raj Bhavan, CEDC/South-I,
Guindy, Chennai-600 032.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai - 600 003.

+1cc to Mr.L.Jai Venkatesh, Advocate SR. No. 20264

+1cc to Ms.L.Srileka, Advocate SR. No. 20096

+1cc to Ms.P.T.Ramadevi, Advocate SR. No. 20097

W.P. No.6702 of 2022

GPL (CO)

PR (28/04/2022)