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W.P.No.30381 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.30381 of 2022

B.Sundaramoorthy

...

Petitioner

Vs

1.The Assistant Engineer,
O/o. The Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
(Korattur Sub-Division)
Ambattur Division,
No.23, KV Korattur SS Complex,
Opposite to Britannia Industries,
Korattur, Chennai – 600 080.

2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai – 600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to grant electricity service connection to the petitioner's bunk shop situated at MTH Road, by the side of Saravana Store Main Gate, opposite to Lukas TVS, Padi, Chennai – 600 050, by considering his representation dated 03.08.2022 till the Township Vending Committee is constituted by the 2nd respondent and decide the issue of grant of Certificate of Vending to the petitioner's shop.



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For Petitioner : Mr.L.Chandrakumar
For Respondents : Ms.V.Revathy
for Mr.L.Jai Venkatesh
Standing Counsel for R1
: Ms.P.T.Ramadevi
Standing Counsel for R2

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to grant electricity service connection to the petitioner's bunk shop situated at MTH Road, by the side of Saravana Store Main Gate, opposite to Lukas TVS, Padi, Chennai – 600 050, by considering his representation dated 03.08.2022 till the Township Vending Committee is constituted by the 2nd respondent and decide the issue of grant of Certificate of Vending to the petitioner's shop.

2. The petitioner is having a bunk shop opposite to Lukas TVS, Padi, Chennai – 600 050 which according to Mr.L.Chandrakumar, learned counsel appearing for the petitioner is located at the vending zone. As the division of vending and non-vending zone already been made by the 2nd respondent/Chennai Corporation has been set aside by this Court, subsequently no Committee to that effect has been constituted. Therefore as of now there has been no declaration to that effect as to which can be treated as a vending zone and which can be treated as



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a non vending zone.

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3. Therefore, presumably by taking such reason the 1st respondent TANGEDCO has not extended the service connection to the petitioner, therefore the learned counsel seeks indulgence of this Court to issue a direction to the respondent especially the 1st respondent to consider the application submitted by the petitioner dated 03.08.2022 and extend the service connection to the bunk shop run by the petitioner.

4. Heard Ms.V.Revathy, learned Standing Counsel for the 1st respondent who would submit that, the petitioner either has to produce the NOC to be obtained from the 2nd respondent or he must state that he is the owner of the bunk shop which is located, without any of these compliances, it may not be possible for the respondent to extend the service connection to the petitioner bunk shop.

5. I have heard the learned counsel for both sides. Be that as it may, once the request has been made by the petitioner dated 03.08.2022 and he has given a reason as to why he is not in a position to give the NOC from the 2nd respondent Corporation and he seeks the aforesaid service connection to the bunk shop, the



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said plea raised by the petitioner can be considered by the 1st respondent and a decision can be taken in accordance with law within a time frame that may be stipulated by this Court.

6. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the 1st respondent to consider the representation submitted by the petitioner dated 03.08.2022 with regard to the plea of getting service connection to the bunk shop run by the petitioner and decide the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

16.11.2022

Index : Yes / No

Speaking Order: Yes / No

Note : Issue order copy on **21.11.2022**



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R. SURESH KUMAR, J.

Sgl

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