



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.35322 of 2019
and WMP.Nos.36134 & 36137 of 2019

1.Mathuravani

2.A.Theaynmozhi

3.Aaditiyaa

4.Zolostays Property Solutions Pvt. Ltd.,
A Company incorporated under the Companies Act, 2013,
with its registered offices at
No. 1190 22nd Cross, HSR Layout,
Sector 3, Bengaluru,
Rep. By its Authorised signatory, Sampath Selvan.

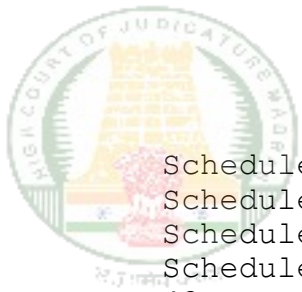
...Petitioners

Vs.

- 1.The Director -Distribution
Tamil Nadu Electricity Generation and
Distribution Corporation Eastern Wing,
10th Floor, NPKRR Maaligai, 144 Anna Salai,
Chennai -600 002.
- 2.The Superintending Engineer
/ South II (Chennai),
Tamil Nadu Electricity Generation and Distribution
Corporation
110 KV Complex, K K Nagar, Chennai 600 078.
- 3.The Assistant Executive Engineer, (Construction),
Adyar, Chennai Distribution Circle /South II,
Tamil Nadu Electricity Generation and Distribution
Corporation, 110/33/11 K V SS Complex,
Tidal Park, Tharamani, Chennai-113.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Ceriorari to call for the records of Respondent No.3 pursuant to his proceedings dated 30.11.2019 in the Provisional Assessment Order (Form -9) in respect of the Petitioner Nos.1 2 and 3s Service connection Nos. 229-007-3671 (erroneously denoted as 229-007-3674 in the Provisional Assessment Order dated 30.11.2019 I-a (Flat 2C Part 2 of Schedule B Property) 229-007-3676 I-a (Flat 3C part 1 of Schedule C Property) 229-007-3679 I-a (Flat 4C part 2 of



Schedule C Property) 229-007-3668 I-a (Flat 1A part 1 of Schedule A Property); 229-007-3670: 1-a (Flat 1C, Part 2 of Schedule A Property) 229-007-3673; 1-a (Flat 2C, Part 1 of Schedule B Property) provided at Mandhagini Plot Nos.41,42 & 43, second Cross Street, Anand Nagar, Okkiam Thoraipakkam, Chennai-97 and quash the same as invalid and illegal and consequently, direct the 3rd respondent to repay the sum of Rs.12,000/- (Rupees Twelve thousand only) paid towards compounding fees with interest to the respective petitioners.

For petitioners : Mr.Bharadwaja Ramasubramaniam.R.

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

O R D E R

This Writ Petition has been filed to issue a Writ of Ceriorari to call for the records of Respondent No.3 pursuant to his proceedings dated 30.11.2019 in the Provisional Assessment Order (Form -9) in respect of the Petitioner Nos.1 2 and 3s Service connection Nos. 229-007-3671 (erroneously denoted as 229-007-3674 in the Provisional Assessment Order dated 30.11.2019 I-a (Flat 2C Part 2 of Schedule B Property) 229-007-3676 I-a (Flat 3C part 1 of Schedule C Property) 229-007-3679 I-a (Flat 4C part 2 of Schedule C Property) 229-007-3668 I-a (Flat 1A part 1 of Schedule A Property); 229-007-3670: 1-a (Flat 1C, Part 2 of Schedule A Property) provided at 007-3673; 1-a (Flat 2C, Part 1 of Schedule B Property) provided at Mandhagini Plot Nos.41,42 & 43, second Cross Street, Anand Nagar, Okkiam Thoraipakkam, Chennai-97 and quash the same as invalid and illegal and consequently, direct the 3rd respondent to repay the sum of Rs.12,000/- (Rupees Twelve thousand only) paid towards compounding fees with interest to the respective petitioners.

2. On 20.12.2019, when the matter taken up for hearing, this court passed the following conditional order:

' ' Mr.P.Gunaraj, Learned Standing Counsel, who takes notice for the Respondents.

2. Having regard to the rival contention of the parties, the Petitioner shall remit the amount of Rs.1,88,761 demanded by the respondents in the impugned order in an interest fetching fixed deposit in any of the Nationalized Banks in Chennai City in the name of the Registrar General of this Court for the period of one year and renewable automatically until further orders and the original receipt shall be handed over to the Registry of this Court for safe custody under written acknowledgement on or before 10.01.2019. On production of the copy of such Fixed Deposit receipt, the Third Respondent shall



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immediately restore the Electricity supply to the premises of the petitioners, who shall pay future bills for the demand to be made by the respondents at the revised rate without prejudice to their mutual rights in the writ petition.

3. Post the matter on 27.01.2020.''

3. Today, when the matter is came up for hearing, the learned counsel for the petitioners submitted that the amount of Rs.1,88,761/- which was demanded by the respondents in the impugned order, has already been deposited in the name of the Registrar-General of this Court. On instructions, he further submitted that the aforesaid amount, which was lying in the name of the Registrar General, shall be disbursed to the respondents (TANGEDCO). The learned counsel further submitted that during pendency of this petition, the possession was handed over to the landlord and at present, the landlord is enjoying the domestic service connection.

4. In view of the above submission made by the learned counsel for the petitioner and the petitioners have come forward to pay the fine amount, this Court is inclined to direct the Registrar (General) to forward the entire amount, which was deposited by the petitioners by way of Fixed Deposits, to the *2nd respondent within a period of four weeks from the date of receipt of a copy of this order.

5. In view of the above, no further order is necessary in this case and therefore, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-IV)

dated : 08.02.2022

**Corrected as per order of this Court
for being mentioned dated 23.03.2022
made in WP No.35322/2019**

Sd/-

Assistant Registrar (CS-IV)

dated : 22.04.2022

//True Copy//

Sub Assistant Registrar

rli



To

1.The Director -Distribution
Tamil Nadu Electricity Generation
and Distribution Corporation
Eastern Wing,
10th Floor, NPKRR Maaligai,
144 Anna Salai,
Chennai -600 002.

2.The Superintending Engineer
/ South II (Chennai),
Tamil Nadu Electricity Generation
and Distribution Corporation,
110 KV Complex, K K Nagar,
Chennai 600 078.

3.The Assistant Executive Engineer,
(Construction),
Adyar, Chennai Distribution Circle
/South II, Tamil Nadu Electricity
Generation and Distribution Corporation,
110/33/11 K V SS Complex,
Tidal Park, Tharamani, Chennai-113.

Copy to:

1.The Registrar (General).
High Court, Madras.

2.The Section Officer,
Accounts Section,
High Court, Madras.

+1cc to Mr.L.Jai Venkatesh, Advocate SR. No.*19543

To be substituted
the order
already despatched
on 10.02.2022

W.P.No.35322 of 2019

GPL (CO)
PR (09/02/2022)
PR (26/04/2022)