



WEB COPY



W.P. No.19313 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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D.Justin Patrick Pushparaj,
S/O.Devarajan
Old No.47, New No.35, Sannathi St,
Manali, Chennai – 600 068,
Represented by his Power Agent,
D.John Raj,
S/O.S.Durai Raj,
610/62, Gandhi Nagar, Wimco Nagar,
Manali – 19.

... Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation,
Tamil Nadu Electricity Board,
Annasalai,
Chennai – 600 002.
2. The Executive Engineer,
Operations & Maintenance,
Tamil Nadu Electricity Board,
Tondiarpet,
Chennai – 600 021.
3. Assistant Engineer,
(O.M.), M.E.S.(North),
Manali,
Chennai – 600 068.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus, directing the respondents to restore back all



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Six EB Connections 014-036-710, 014-036-711, 014-036-502, 014-036-503, 014-036-504 and 014-036-505 to the original owner D.Justin Patrick Pushparaj instead of Mr.Chelladurai and in consequent direction to the respondents to dispose of the representation dated 12.03.2020 and 05.12.2022.

For Petitioner : Mr.N.Kumar

For Respondents : Mr.L.Jai Venkatesh

ORDER

This writ petition is filed seeking for issuance of a writ of mandamus to direct the respondents to restore all Six EB Connections 014-036-710, 014-036-711, 014-036-502, 014-036-503, 014-036-504 and 014-036-505 to the original owner D.Justin Patrick Pushparaj instead of Mr.Chelladurai and for a consequential direction to the respondents to dispose of the representation dated 12.03.2020 and 05.12.2022.

2. Mr.L.Jai Venkatesh, accepts notice for the respondents. In view of the consent expressed by learned counsel on either side this writ petition is taken up for final hearing at the admission stage itself.

3. It is the case of the petitioner that the petitioner acquired the property situated at Door No.35 (Old No.47), Sannathi Street, Manali Town, Chennai – 68 from his father vide settlement deed 23.07.2000. After which,



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he obtained 6 Electricity service connections. Thereafter, he has been regularly paying the Electricity consumption charges without any default.

However, during the year 2020, the third respondent informed that the six electricity service connections were transferred in the name of one Chelladurai, for which one D.John Raj, power agent of the aforesaid property made a representation dated 12.03.2020 before the third respondent seeking to restore all the 6 electricity service connections in the name of the petitioner. Since the same was not considered the present writ petition has been filed.

4. The learned counsel for the petitioner submitted that though all the six electricity service connections originally stood in the name of the petitioner, however, the third respondent without verifying the ward numbers erroneously transferred the name as Chelladurai in the EB connections. Hence, it would suffice if this Court issues a direction to the respondent to consider and pass orders on the representation dated 12.03.2020 made by the petitioner's power agent within the time frame that may be stipulated by this Court.

5. The learned standing counsel appearing for the respondents



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submitted that all the six electricity service connections stand in the name of said Chelladurai, in which three EB connections were disconnected and dismantled for non-payment of CC charges.

6. Considering the limited request sought for by the petitioner, this Court without going into the merits of the case, directs the petitioner to make a fresh representation before the third respondent / Assistant Engineer seeking transfer of electricity service connections in favour of the petitioner. Upon receipt of the same the third respondent is directed to conduct enquiry between the parties and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

7. This Writ Petition is accordingly disposed of. No costs.

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Index : Yes / No
Speaking order : Yes / No
NCC : Yes/No



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