



W.P.No.24900 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.24900 of 2023

D.Shanmuga Shanthini

... Petitioner

Vs.

1.The Asst. Engineer (AE)
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Perur Road, Vedappati,
Coimbatore-641 007.

2.The Assistant Executive Engineer (AEE),
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Aavin Nagar, Kaalampalayam,
Coimbatore-641 010.

3.The Superintending Engineer (SE),
No.24, Cross Cut Road,
Chinniyampalayam, Tatabad,
Gandhipuram, Coimbatore-641 012.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing respondents 1, 2 and 3 to disconnect the electricity consumer connection No:03-105-007-798 obtained



W.P.No.24900 of 2023

in the petitioner's name in respect of the premises bearing Door No.27, T.G.Nagar, Sugarcane Post, Veerakeralam, Coimbatore-641 007, and also refund the cautionary deposit amount deposited by the petitioner within the stipulated time decided by this Court.

For Petitioner : Mr.D.Lazar

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB
for R1 to R3

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner is a former tenant of a certain premises and has obtained an electricity service connection in her name. The petitioner contends that she has since vacated the premises, and has made a request to the TANGEDCO vide her representation dated 03.07.2023, to disconnect the electricity service connection standing in her name and also to refund the security deposit.



W.P.No.24900 of 2023

3. Mr.L.Jaivenkatesh, the learned Standing Counsel for TNEB takes notice for respondents 1 to 3.

4. The learned counsel for the respondents, on instruction, made a statement that the premises is now in the occupation of another tenant, and the first respondent has issued a notice to the petitioner, and a decision will be taken shortly. The issue is not between the landlord and the tenant, but with a former tenant and his former landlord plus the current tenant of the premises. When the electricity service connection stands in the name of the petitioner who is neither the tenant, nor the landlord of the building, then *vis-a-vis* the present tenant, the latter will not have any right even to demand amenity. Therefore, in law, the petitioner is entitled to have her electricity connection disconnected, and also to have the said caution deposit refunded.

5. Heard Mr.D.Lazar, the learned counsel for the petitioner and Mr.L.Jaivenkatesh, the learned Standing Counsel for TNEB.



W.P.No.24900 of 2023

6.The first respondent is now required to decide the issue within a period of two (2) weeks from the date of receipt of an online copy or the date on which the order is hosted in the official website, whichever is earlier.

7.In the light of what is herein above observed by this Court, this Writ Petition stands disposed of. No Costs.

23.08.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

1.The Asst. Engineer (AE)
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Perur Road, Vedappati,
Coimbatore-641 007.

2.The Assistant Executive Engineer (AEE),
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Aavin Nagar, Kaalampalayam,
Coimbatore-641 010.

3.The Superintending Engineer (SE),
No.24, Cross Cut Road,
Chinniyampalayam, Tatabad,
Gandhipuram, Coimbatore-641 012.



WEB COPY



W.P.No.24900 of 2023

N.SESHASAYEE, J.

Anu

W.P.No.24900 of 2023

23.08.2023