



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2023

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 28610 of 2022

And

W.M.P.No. 27890 of 2022

Thahira

... Petitioner

..Vs..

1. The Superintendent Engineer (O&M)
Tamilnadu Generation & Distribution Corporation Ltd.,
Tondiarpet
Chennai.

2. The Assistant Engineer (O&M)
Tamilnadu Generation & Distribution Corporation Ltd.,
Vallalar Nagar
Chennai.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus to call for the records pertaining online rejection order dated 12.07.2022 passed by the 2nd respondent and quash the same subsequently direct the 2nd respondent to provide new electricity service connection for domestic residential purpose to petitioners house comprised in New S.F.No.1926/Part and as per patta



S.F.No. 1926/5 on the file of Thasildar, Tonidarpet situated at Old Washermenpet, Chennai.

For Petitioner

:: Mr. M.Subash

For Respondents

:: Mr. L.Jai Venkatesh
Standing Counsel

ORDER

The Writ Petition has been filed in the nature of Certiorarified Mandamus seeking interference with an order dated 12.07.2022 passed by the second respondent / Assistant Engineer (O&M), Tamilnadu Generation & Distribution Corporation Ltd., Vallalar Nagar, Chennai, by which order, the said respondent rejected the application of the petitioner seeking electricity connection for domestic residential purposes for the house of the petitioner at new S.F.No. 1926 / Part as per patta S.F.No. 1926/5 at Tonidarpet, situated at Old Washermenpet, Chennai.

2. The rules of the respondents state that if there are more than three dwelling units, a completion certificate will have to be obtained and only when such certificate is obtained, the electricity connection can be granted to that particular house.



3. The petitioner applied for domestic electricity connection. She had declared that there were four kitchens in the houses. This was interpreted as four separate dwelling units. The Writ Petition had been filed listed on two or three occasions. The learned counsel for the petitioner came forward to state that one of the kitchens would be converted as a prayer hall. But however, this necessitated the water/drainage connection should be removed. A responsibility was also cast on the second respondent to make an inspection.

4. Today it is informed that the kitchen had been converted fully into prayer hall and all the connections relating to water supply and drainage had been removed.

5. The learned counsel for the respondents also stated that the second respondent had made an inspection and had found that the kitchen had been converted into a prayer hall. Since this transformation has occurred and I hope that the room would continue to remain as prayer hall and not converted as a kitchen, the respondents are on an obligation to grant domestic electricity connection to the petitioner provided the petitioner applies afresh through online for electricity connection.



6. While granting electricity connection, the respondents may also obtained an undertaking that the particular house would have only three kitchens and that the respondent particularly, the second respondent would also have a liberty to cause inspection if increase in the usage of electricity is noticed by the respondent. Provided the petitioner satisfies other rules as are required, the respondents within a period of 4 weeks from the date of receipt of fresh application by the petitioner must proceed to grant domestic electricity connection.

7. The Writ Petition stands disposed of. No order as to costs. Consequently, connected Miscellaneous Petition is closed.

09.02.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order



To
WEB COPY

1. The Superintendent Engineer (O&M)
Tamilnadu Generation & Distribution Corporation Ltd.,
Tondiarpet
Chennai.
2. The Assistant Engineer (O&M)
Tamilnadu Generation & Distribution Corporation Ltd.,
Vallalar Nagar
Chennai.



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C.V.KARTHIKEYAN, J.,

vsg

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