



WEB COPY

W.P.No.7658 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2024

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.7658 of 2024
& WMP.No.8573 of 2024

M.Subbulakshmi

.... Petitioner

Vs

1.The Tamil Nadu Electricity Board
Represented by its Chairman,
10th Floor, N.P.K.K.R. Maaligai,
No.144, Anana Salai,
Chennai – 600 002.

2.The Assistant Director (O & M),
Tamil Nadu Electricity Board,
Lakshmipuram. TANGEDCO/CEDC/NORTH,
Kolathur, Chennai – 600 099.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent rejection order dated 05.03.2024 in application No.200010260224259, quash the same and consequently direct the second respondent to provide electricity connection (domestic purpose) in the second floor of the petitioner premises at Door No.76, Plot No.153,



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First Street, Bharath Rajiv Gandhi Nagar, Kolathur, Chennai – 600 099,

based on the application of the petitioner dated 19.02.2024.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel (TNEB)

ORDER

The petitioner is an individual who seeks a writ of certiorarified mandamus challenging an order of cancellation dated 05.03.2024 of her application for domestic electricity connection for the premises at Door No.76, Plot No.153, First Street, Bharath Rajiv Gandhi Nagar, Kolathur, Chennai – 600 099.

2. An application filed on 19.02.2024 has come to be rejected by way of a non-speaking order dated 05.03.2024 citing the reason '*discrepancies in the uploaded documents*'.

3. Mr.L.Jai Venkatesh, learned Standing Counsel for respondents would submit that proper documents, such as registered sale deed ought to have accompanied the application. However, this fact does not feature in the order itself and the petitioner ought to have, prior to the rejection of the application been put to notice, so that necessary documents may be produced.



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4. For the aforesaid reasons, that is, on account of the violation of principles of natural justice as well as the fact that the rejection is completely arbitrary and non-speaking, impugned order dated 05.03.2024 is set-aside and application dated 19.02.2024 is remanded back to the file of the 2nd respondent.

5. In order to facilitate proper exchange of documents, the petitioner shall appear before the 2nd respondent on 29.07.2024 at 12.00 noon without awaiting any further notice in this regard. The availability of R2 at that time has also been ascertained from the learned counsel for the respondents.

6. After hearing the petitioner and consideration of documents, if any produced by the petitioner, the application shall be revisited and a speaking order shall be passed, either way, all within a period of six (6) weeks from date of personal hearing, in accordance with law and extant Rules and Regulations. If any documents are required, the respondents shall call for the same from the petitioner.



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7. This writ petition is allowed in the aforesaid terms by way of remand. No costs. Connected Miscellaneous petition is closed.

18.07.2024

Index:Yes/No
Speaking order:Yes
Neutral Citation:Yes
mpl

To

- 1.The Tamil Nadu Electricity Board
Represented by its Chairman,
10th Floor, N.P.K.K.R. Maaligai,
No.144, Anana Salai,
Chennai – 600 002.
- 2.The Assistant Director (O & M),
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