



WEB COPY



W.P.No.13134 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM:

THE HON'BLE MRS. JUSTICE J.NISHA BANU

W.P.No.13134 of 2021

V.Sethulakshmi

... Petitioner

Vs.

1. The Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Tharamani,
Adyar, Chennai 600 118

2. The Assistant Engineer, O & M/ Central,
TANGEDCO, CEDC South,
Velachery, Chennai 600 042

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to consider and pass orders on the petitioner's representation dated 15.03.2021 with regard to shifting of the petitioner's E.B. connections vide Nos.09.275.004-345, 90.275.004-883, 09.275.004-1490 and 09.275-004.1491 from main road, Dr.Seethapathy Nagar, VGP Avenue, Velacherry, Chennai to old EB post situated 3rd cross street, Dhandeswaram Nagar, Velacherry, Chennai, 24 feet road within a stipulated time as fixed by this Court.

For Petitioner : Mr.D.Nandagopal

For Respondents : Mr.L.Jaivenkatesh,



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Standing Counsel
ORDER

This writ petition is filed seeking for a Writ of Mandamus to direct the first respondent to consider and pass orders based on the petitioner's representation, dated 15.03.2021.

2. The petitioner herein is a retired staff of Tamil Nadu Electricity Board and she is residing at No.13/5, Dr.Seethapathy Nagar Extension, VGP Avenue, Velachery, Chennai 600 042 for the past 40 years.

3. The learned counsel for the petitioner would state that the petitioner had applied for want of E.B. connections in the year 1967 and two service E.B.single phase connections were sanctioned by the respondents vide Nos.09.275.004.345 and 09.275.004.883.

4. According to the learned counsel for the petitioner, the above two E.B. connections were given through nearby E.B.post, which was already erected at 3rd cross street, Dhandeshwaram 7th main road, Velacherry, Chennai which is about 30 meters away from the back side of the petitioner's



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compound. Thereafter, the petitioner has obtained two more E.B. connections vide Nos.09.275.004.1490 and 09.275.004.1491 and the petitioner has been paying E.B. charges regularly for the same.

5. While so, on 15.03.2002, the second respondent came along with Velachery Police officials and disconnected the petitioner's E.B. connection and transferred the same to a faraway place located at main road Seethapathy Nagar, Extension Velacherry which is about 200 meters away from the petitioner's house. The petitioner's husband objected to the above illegal acts of the second respondent and filed a civil suit in O.S.No.3822 of 1988 before the VII Assistant City Civil Court, Chennai seeking for mandatory injunction and restraining the respondents from disconnecting the E.B. supply connections, in which the respondents were also parties to the suit and have entered appearance through their E.B. counsel.

6. According to the learned counsel for the petitioner, though the respondents were fully aware of the pendency of the above civil suit, the respondents, without issuing any notice or opportunity to the petitioner, illegally shifted the E.B.line connections to faraway place located at the main road, which was 200 meters.



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7. According to the learned counsel for the petitioner, the E.B. High Tension wires are lying over and above the petitioner's house and the same endangers the life and security of the petitioner. Further, the learned counsel contended that the re-route overhead E.B. peon lines also got damaged due to rain and sunlight and become rusted and ruined and the same resulted to detachment of wires and the same fell down frequently.

8. The learned counsel for the petitioner would state that the petitioner's husband died during March 2021 and the petitioner, being a senior citizen, is staying alone in the above said address. Moreover, the learned counsel stated that the petitioner is apprehending danger due to the damage of electricity wires, that is caused due to the short circuit of service of E.B. wires which are often getting fired. Even though the petitioner's husband had earlier informed orally to the respondents and also made complaint to the first respondent and to other higher authorities to re-route the E.B. connections to the old E.B. Post, where he was already given E.B. Connection, there is no response from the respondents till date. Therefore, the petitioner made a representation, dated 15.03.2021 to the respondents requesting to shift the residential E.B. Service



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Connection from the main road, Dr.Seethapathy Nagar Extension, VGP Avenue, Velacherry to old E.B.Post situated at 3rd cross street, Dhandeswaram nagar, Velacherry, 24 feet road. The learned counsel for the petitioner also brought to the attention of this Court that the petitioner is ready and willing to bear the shifting charges and expenses to be incurred for the same. In spite of the same, no action has been taken on the petitioner's representation till date.

9. Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents and perused the materials placed before this Court.

10. Considering that the petitioner is a senior citizen and is also suffering from many age-old ailments, the respondents are directed to dispose of the representation of the petitioner, dated 15.03.2021, by providing sufficient opportunity of being heard and the respondents are also directed to communicate the decision taken in this regard to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

J.NISHA BANU, J.



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11. With these observations and directions, this Writ Petition stands disposed of. No costs.

27.02.2024

Index : Yes / No
Internet : Yes / No
Speaking order/Non-speaking order
Neutral Citation : Yes / No
sts

To:

1. The Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Tharamani,
Adyar, Chennai 600 118
2. The Assistant Engineer, O & M/ Central,
TANGEDCO, CEDC South,
Velachery, Chennai 600 042

Order made in
W.P.No.13134 of 2021