



Rev.Appl.(Writ) No. 58 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

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Ramesh B.Kanther

.. Petitioner

Versus

1.The Tamil Nadu Generation and Distribution Corporation Ltd
Rep by its Chairman and Managing Director
Head Quarters Complex
144, Anna Salai, Chennai – 600 002

2.The Assistant Engineer (O&M)
TANGEDCO, Vyasarpadi
Chennai – 600 039
Respondents

..

Petition is filed under Section 114 of the Civil Procedure Code r/w Order 47 Rule 1 to review the order dated 03.11.2022 passed by this Court in W.P.No.29442 of 2017.

For Petitioner : Mr.R.Nandhakumar

For Respondents : Mr.L.Jaivenkatesh

ORDER

Mr.R.Ganesan, Assistant Executive Engineer, TNEB, Vyasarpadi and

Mr.E.Ramaiah, Assistant Engineer, Vyasarpadi/second respondent are present



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before this Court.

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2. This Court, by way of Order dated 03.11.2022, originally directed the respondent Board to effect the service connection to the petitioner, after receipt of principal amount before the respondent, within a period of one month from the date of receipt of a copy of that Order.

3. This Order has not been challenged and reached the finality. Despite such binding order, whenever the principal amount was tendered by the petitioner before the respondent Board, the same has not been received. On the other hand, citing some rules somehow or other, the petitioner has made to run from pillar to post.

4. Now, status report has been filed indicating that though the principal amount is assessed at Rs.37,53,738/-, the Board has revised assessment amount as per the Board Proceedings and Technical Branch Memo dated 11.05.2021 and a request for approval of the same was sent to the Superintending Engineer on 06.03.2024, necessary approval was accorded for collection of revised assessment amount to Rs.24,56,219/-. While assessing the amount, it is also stated that Belated payment surcharge will lead to Rs.1,00,05,480/- payable by the petitioner.



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5. It is relevant to note that when this Court directed the respondent Board to receive the principal amount, the question of belated payment, surcharge for revised assessment will not arise at all.

6. Accordingly, the respondent Board is directed to receive the principal amount assessed by them and the petitioner has also deposited a sum of Rs.24,64,720/- by way of Demand Drafts in D.D.No.430837 dated 29.02.2024 and D.D.No.550159 dated 14.03.2024 towards the principal amount payable to the respondent Board. The same has been acknowledged by the Assistant Engineer/2nd respondent and he also made an endorsement in the case bundle to that effect.

7. Such view of the matter, the respondent shall effect the service connection to the petitioner within a period of one month from the date of receipt of a copy of this Order after getting approval from the Chairman. It is made clear that since the Court has directed positively, the respondent cannot once again insist for payment of belated payment and surcharge for revised assessment payment. Failure on the part of the respondent Board, contempt proceedings will take its course.



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N.SATHISH KUMAR, J.

8. Hence, this Review Petition stands disposed of in above terms. No costs.

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Index : Yes/No

Internet : Yes/No

dhk

To

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