



W.P.No.19721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.07.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.19721 of 2024

Vinu Priyanga.R

... Petitioner

Vs

1.The Chairman,
TANGEDCO
Chennai EDC, North,
5A Block, 144 Anna Salai, Chennai – 600 002.

2.The Chief Engineer,
TANGEDCO
Chennai EDC, North,
5A Block, 144 Anna Salai, Chennai – 600 002.

3.Administrative Engineer
TANGEDCO,
Cooks Road, Chennai – 600 012.

4.The Assistant Engineer,
TANGEDCO,
Cooks Road, Chennai – 600 012.

5.J.M.Ahmed Sirjauddin

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to consider the representation dated 10.06.2024.



W.P.No.19721 of 2024

WEB COPY

For Petitioner : Mr.R.Ravindra Ram

For Respondents : Ms.Sindhuza (R1 to R4)
for Mr.L.Jai Venkatesh

ORDER

Ms.Sindhuza, learned counsel on behalf of Mr.L.Jai Venkatesh, learned counsel accepts notice for R1 to R4, being officials of Tangedco and is armed with necessary instructions to enable a final disposal of this Writ Petition, even at the stage of admission. No notice has been issued to R5 at this juncture as his interests are duly protected by appropriate directions issued in conclusion of this order.

2. The petitioner states that she had purchased a flat in an apartment at Plot No.24, (Old Door No.38) New Door No.10, Jamalia Nagar Link Road, Jamalia Nagar, Perambur, Chennai – 600 012 in R.S.No.262/1, and 263 (part) & 263/15, T.S.No.262/44 & 263/52, Ward – 1, Block No.16, Perambur Village, Perambur Taluk ('property'/'property in question').

3. The construction, according to her, has been carried out by R5. He is authorized to construct only 11 dwelling units, whereas he has gone ahead to construct additional dwelling units with other deviations. She also claims that there are several irregularities in the manner in which electricity connections have been obtained. According to her, there has been no electricity transformer



W.P.No.19721 of 2024

in the premises on account of which the residents are suffering low voltage and frequent power cuts.

4. On 10.06.2024, the petitioner has given a representation to the official respondents to take necessary action as against R5 detailing the irregularities committed including the submission of a forged and fabricated plan of the CMDA. She states that no action has been taken thus far. Hence this Writ Petition seeking mandamus as against R4 to consider her representation and pass orders.

5. The representation is dated 10.06.2024 and this Writ Petition has been instituted on 26.06.2024. When the matter is called, learned panel counsel for Tangedco circulates a copy of letter No.AE/O&M/CooksRoad/F.Pentition/D.No.129/24-25/dated 18.07.2024, reading thus:

With reference to the above I hereby furnish the details about the New Service effected at D.No.10, Jamaliya link road, Jamalia nagar, Chennai.

In Cooks road section 11 New domestic service connections applications registered for the apartment at D.No.10, Jamaliya link road, Jamalia nagar Chennai. As per rules in force more than 3 dwelling units, completion certificate must be furnished by the applicant. Plan copy and Completion Certificate and Documents copy obtained from the Applicant.

As per plan build up area is 866 sqmt only. Hence Distribution Transformer not provided inside the Premises. As per plan 11 dwelling units only available. There for 11 New domestic service connections and one common ID service were effected.



W.P.No.19721 of 2024

Based on the documents furnished by the Applicants service connections were effected.

WEB COPY

This is for your kind information please.

Sd/-

*Assistant Engineer
Cooks Road, CEDC/Central.*

6. According to the panel counsel, the aforesaid letter dated 18.07.2024 has been sent to the petitioner on 20.07.2024, evidently to meet the Writ Petition of which advance notice would have been received by the authorities. The disposal of the representation is wholly unsatisfactory insofar as the detailed allegations that has been set out therein in regard to the alleged fraudulent activities committed by R5 for obtaining electricity connections, including alleged forging of the CMDA approval, have not been met as well. Neither the specific allegation that the EB authorities have been seeking bribes which has been communicated by R5 to the petitioner by way of a Whatsapp message, extracted in the representation itself.

7. In such circumstances, letter No.AE/O&M/CooksRoad/F.Pentition/D.No.129/24-25/dated 18.07.2024 is liable to be ignored as being bereft of any merit whatsoever. R4 will hear the petitioner, R5 and any others deemed necessary for the adjudication of the matter and dispose the representation of the petitioner dated 10.06.2024 within a period of four (4) weeks from date of receipt of a copy of this order, in accordance with law. The



W.P.No.19721 of 2024

authorities are expected to devote their attention to the allegations that have been made in the representation while examining the same in line with the relevant Rules and Regulations and pass a speaking order.

8. This Writ Petition is disposed in the aforesaid terms. No costs.

22.07.2024

Index : Yes / No
Speaking order
Neutral citations: Yes
sl

To

1. The Chairman,
TANGEDCO
Chennai EDC, North,
5A Block, 144 Anna Salai, Chennai – 600 002.
2. The Chief Engineer,
TANGEDCO
Chennai EDC, North,
5A Block, 144 Anna Salai, Chennai – 600 002.
3. Administrative Engineer
TANGEDCO,
Cooks Road, Chennai – 600 012.
4. The Assistant Engineer,
TANGEDCO, Cooks Road, Chennai – 600 012.



WEB COPY



W.P.No.19721 of 2024

Dr.ANITA SUMANTH,J.

S1

W.P.No.19721 of 2024

22.07.2024