



WEB COPY

W.P.No.21011 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.21011 of 2023

P.Muniyan

.. Petitioner

vs

1.The Secretary,
TANGEDCO, No.144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer (Distribution),
TANGEDCO Erode Zone,
No.948, EVN Road,
Erode – 638 009.

3.The Assistant Engineer (O&M),
TANGEDCO, Sornapuri,
Fair Lands Post,
Salem – 636 016.

4.The Municipal Administration Commissionerate,
MRC Nagar,
Chennai – 600 028.

(R4 suo motu impleaded vide order
dated 17.07.2023 made in WP 21011/2023)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the third respondent to give electricity connection to the petitioner's Industrial Building at Door No : 243/1-2, and Residential building Door No: 243/1-3 Convent Road, Mittapudar, Salem, which are exempted from completion certificate based on the petitioner's representation dated 21.06.2023.

For Petitioner : Mr.L.Rajendran

For Respondents : Mr.I.Syed Sibghatulla
for R1 to R3
No appearance for R4

ORDER



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Read this order in continuation of and in conjunction with earlier orders, including specifically order dated 12.06.2024, reading thus:-

"The petitioner will produce a copy of the application for electricity connection as it is required to ascertain whether it has been sought as Commercial or Industrial.

2.Respondent relies on Memo No.CE/CommI/SE/CommI/EE3/AEE2/F. CC/FLM-CM/06/2024/ dated 15.03.2024 which states that exemption for production of the completion certificate is given only in the cases of residential buildings upto 14 meters in height and not exceeding 8 dwelling units, and all type of Industrial buildings.

3.List on 19.06.2024."

2. Compilation of documents have been filed by the petitioner on 14.06.2024, enclosing four applications.

3. Mr.Syed, states that this matter has travelled through the Grievance Authority as well as the Ombudsman. In those proceedings, only three applications were the subject-matter of consideration. That apart, he would submit that those applications related to domestic service connections.

4. In fact, the present writ petition has been instituted even when the matter was pending before the Ombudsman, which is itself inappropriate as the Ombudsman should have been permitted to apply his mind to the matter and pass orders after hearing the parties. On account of the pendency of this writ petition, the Ombudsman is stated to have closed that petition on 14.09.2023.

5. In light of the above position and furthermore, for the reason



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that, various facts would have to be gone into, such as the nature and use of the properties in respect of which the applications have been filed and the type of service connections sought, among others, this Court deems it appropriate to revive the application before the Ombudsman.

6. Hence Appeal No.49 of 2023 filed before the Ombudsman, which has been closed by order dated 14.09.2023, is revived. Parties will be heard by the learned Ombudsman on the revived application that shall be decided expeditiously, in accordance with law.

7. Writ petition stands closed in terms of this order. No costs.

20.06.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

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DR. ANITA SUMANTH,J.



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