



W.P.No.24640 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.24640 of 2022
and W.M.P.No.23605 of 2022**

P.Unnamalai

... Petitioner

Vs.

The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Operation and Maintenance,
K.K.Nagar, CEDC/South,
Chennai-600 083.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to restore the petitioner's electricity service consequentially not to impose exorbitant penalty and to provide six installments along with future consumption charges for the electricity service connection bearing Service No.237-020-1568, to the petitioner's building at No.20/41, 69th Street, R.V.Nagar, Ashok Nagar, Chennai-600 083, based on the representation dated 23.06.2022.



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For Petitioner : Mr.V.Ramanareddy

For Respondent : Mr.L.Jaivenkatesh

ORDER

This Writ Petition has been filed to direct the respondent to restore the petitioner's electricity service connection and not to impose exorbitant penalty and provide six installments for paying the penalty along with future consumption charges for the electricity service connection bearing Service No.237-020-1568, to the petitioner's building situated at No.20/41, 69th Street, R.V.Nagar, Ashok Nagar, Chennai-600 083, based on the representation of the petitioner dated 23.06.2022.

2. The learned counsel appearing for the petitioner submits that the respondent claiming that the petitioner was unauthorizedly using the electricity service connection after disconnection of service connection, imposed penalty for a sum of Rs.2,40,834/-. Challenging the same, the present writ petition has been filed.



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3. When the matter came up for hearing on 13.09.2022, this Court has issued an interim direction to restore supply on condition that the petitioner pays a sum of Rs.1,50,000/- to the TANGEDCO, however, the petitioner has not paid the amount.

4. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner, on instructions, submits that the petitioner is ready to pay a sum of Rs.1,40,834/- on or before 30.09.2024 and the balance amount of Rs.1,00,000/- will be paid on or before 30.10.2024. After payment of the entire amount, liberty may be given to the petitioner to make a fresh application for providing electricity service connection and thereafter, the respondent may effect the service connection in favour of the petitioner, after obtaining necessary charges.

5. The learned counsel appearing for the respondent has no serious objection to the submission made by the learned counsel appearing



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for the petitioner, however, submits that the penalty has been imposed in the year 2022. Now, two years have been lapsed and if the petitioner wants electricity service connection, she has to pay the necessary charges for obtaining electricity service connection and if any application is made by the petitioner, the same will be considered in accordance with law.

6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

7. In view of the submission made by the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent, this Court, without going into the merits of the case, directs the petitioner to pay a sum of Rs.1,40,834/- (Rupees One Lakh Forty Thousand Eight Hundred and Thirty Four Only) to the respondent on or before 30.09.2024 and pay another sum of Rs.1,00,000/- (Rupees One Lakh Only) on or before 30.10.2024. After payment of the entire amount, liberty is granted to the petitioner to make a fresh application before the respondent



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for obtaining electricity service connection and on receipt of the application, the respondent is directed to consider the same and pass appropriate orders in accordance with law as expeditiously as possible.

8. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

05.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To
The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Operation and Maintenance,
K.K.Nagar, CEDC/South,
Chennai-600 083.



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M.DHANDAPANI, J.

ssb

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