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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.22741 of 2024
and WMP.Nos.24775 and 24783 of 2024

Gokulraj

... Petitioner

Vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
No.144, Anna Salai, Chennai-2.

2. The Superintending Engineer,
TANGEDCO, Tiruppur.

3. The Executive Engineer (D&M)
TANGEDCO, Tiruppur.

4. The Assistant Executive Engineer,
(O&M) West, TANGEDCO, Tiruppur.

5. The Assistant Engineer,
(O&M) Madheshwaran Nagar,
Tiruppur.



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6. The Union Bank of India,
Rep. By its Chief Manager,
Asset Recovery Branch,
Oppanakara Street, Coimbatore.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for records on the file of the 1st respondent relating to the impugned order communicated through E.mail dated 8.7.2024 pertaining to cancellation notice of petitioners application dated 18.6.2024 and quash the same as illegal and arbitrary and consequently direct the respondents 1 to 5 to effect fresh electricity connection to the petitioners Industrial premises situated in No.34 and 35, SIDCO Industrial Estate, Ganapathpalayam village, Palladam Tiruppur, by considering the petitioners application dated 18.6.2024 having reference No.200032250624141 afresh without reference to any alleged arrears of the erstwhile owners of the above said property.

For Petitioner : Mr.L.Poovendra Perumal

For R1-R3 : Mr.L.Jaivenkatesh RR1 to 5

ORDER

This petition has been filed seeking to quash the impugned order communicated through E.mail dated 8.7.2024 pertaining to cancellation notice of petitioners application dated 18.6.2024 and consequently direct the respondents 1 to 5 to effect fresh electricity connection to the



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petitioners Industrial premises situated in No.34 and 35, SIDCO Industrial Estate, Ganapathpalayam village, Palladam Tiruppur, by considering the petitioners application dated 18.6.2024 having reference No.200032250624141 afresh without reference to any alleged arrears of the erstwhile owners of the above said property.

2. It is the case of the petitioner that the petitioner had purchased a property under the SARFAESI proceedings which admeasures an extent of 29.64 cents situated in shed No.34 & 35 in the S.No.612/1A1, Ganapathypalayam Village, Palladam Taluk, Tiruppur District. Thereafter, the petitioner has approached the 5th respondent for effecting fresh electricity connections to the above mentioned properties, however, the 5th respondent informed the petitioner that already there is an outstanding arrears by the erstwhile owners which comes around Rs.5,77,357/- for the connection in SC.No.225-001-2469 and Rs.2,44,229/- for the connection in SC.No.225-001-2471 and rejected the request of the petitioner vide order dated 08.07.2024. Challenging the same, the present writ petition has been filed.



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3. The learned counsel for the petitioner submitted that this Court may permit the petitioner to pay the total dues to the 5th respondent in respect of service connections in SC.No.225-001-2469 and SC.No.225-001-2471. Upon payment of the same, this Court may direct the 5th respondent to provide fresh service connection to the petitioner to carry out the business activities.

4. The learned Standing Counsel appearing for the respondents have not raised any objection in this regard.

5. Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing on behalf of the respondents, and perused the materials available on record.

6. Considering the genuine request made by the petitioner, this Court passes the following orders:

(a) The petitioner is directed to pay a sum of Rs.5,77,357/- (Rupees Five Lakhs Seventy Seven Thousand Three hundred and fifty seven only) for the connection in SC.No.225-001-2469 and Rs.2,44,229/- (Rupees Two lakhs



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Forty Four thousand and Two hundred and twenty nine only)
for the connection in SC.No.225-001-2471 towards arrears of
consumption charges to the 5th respondent within a period of
two weeks from the date of receipt of a copy of this order;

(b) After making such payment, the 5th respondent shall
provide a fresh connection to the premises of the petitioner for
carrying out the business activities within a period of two weeks
thereafter; and

(iii) the petitioner is at liberty to prefer an appeal as
against the order dated 02.05.2024 before the appellate forum;

7. Accordingly, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petitions are
closed.

12.08.2024

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To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
No.144, Anna Salai, Chennai-2.

M.DHANDAPANI,J.



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2. The Superintending Engineer,
TANGEDCO, Tiruppur.

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(O&M) West, TANGEDCO, Tiruppur.

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