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W.P.No.24338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P.No.24338 of 2024

and

W.M.P.No.26590 of 2024

1. M.A.Mohammed Shakir
 2. Sajitha Quadir
 3. Shameem Shahul Hameed
- ...Petitioners

Vs.

1. The Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
7th Floor, NPKR Maligai, Chennai – 600 002.
 2. The Deputy Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
7th Floor, NPKR Maligai, Chennai – 600 002.
 3. The Assistant Electrical Engineer (O & M),
Anna Nagar - North Division.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation dated 26.06.2024 of the petitioners and consequently cancel the 3rd respondent's proceedings number A.E.E/O&M.Ka.BM3009505/2024 as per the letter dated 22.05.2024 and to issue separate invoices for each service connection (Ground, First and Second Floors of the petitioners' premises).



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WEB COPY For Petitioners : Mr.K.Shahul Hameed

For Respondents : Mr.L.Jai Venkatesh

ORDER

This Writ petition has been filed by the petitioners seeking to direct the 2nd respondent to consider the petitioners' representation dated 26.06.2024 and to consequently cancel the 3rd respondent's proceedings bearing No.A.E.E./0 & M.KA.BM3009505/2024 dated 22.05.2024 and to issue separate invoices for each service connection.

2. In view of the consent expressed by the learned counsel on either side, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioners is that, they are the joint owners of the land and residential building situated at Plot No.1960, (G 54A), New No.27, G-Block, 1st Street, Anna Nagar, Chennai (in short 'subject property') and they acquired the said property, vide settlement deed dated 21.05.2015 bearing Doc.No.2154 of 2015 executed by their father. Earlier, the petitioner's father



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obtained three electricity service connections bearing Nos.09-169-002-152, 09-169-002-482 and 09-169-002-1489 in his name for the respective floors in the subject property and the electricity consumption charges have been paid separately. While so, when the petitioners approached the 3rd respondent for payment of electricity consumption charges, the 3rd respondent informed the petitioners that all the above said three service connections have been merged together into a single connection bearing No.09-169-002-152 and directed the petitioners to pay a sum of Rs.42,245/- towards consumption charges for the month of June 2024. Thereby, the petitioners sent a representation dated 26.06.2024 to the 2nd respondent through E-mail and they also sent a detailed representation dated 10.07.2024 to the respondents and requested for separate invoices for each of the service connections, which evoked no response and the 3rd respondent is continuously threatening the petitioners stating that the electricity service connection will be disconnected in the event of non-payment of demand amount of Rs.42,245/-. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioners submitted that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioners' representation dated 26.06.2024



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to consequently cancel the proceedings of the 3rd respondent's bearing No.A.E.E./O&M.Ka.BM3009505/2024 dated 22.05.2024 and to issue separate invoices for each service connection.

5. Learned counsel appearing on behalf of the respondents submitted that, appropriate orders will be passed on the petitioners' representation dated 26.06.2024 within the time stipulated by this Court.

6. In view of the limited request made by the learned counsel for the petitioners, this Court without expressing any opinion on the merits of the case and without interfering with the letter of the 3rd respondent dated 22.05.2024 bearing proceedings No.A.E.E./O&M.Ka.BM3009505/2024, directs the 2nd respondent to consider the petitioners' representation dated 26.06.2024 on merits and in accordance with law and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any.



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7. Accordingly, this Writ petition stands disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

27.08.2024

(2/2)

skt

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

1. The Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
7th Floor, NPKR Maligai, Chennai – 600 002.
2. The Deputy Financial Controller (Revenue),
Tamil Nadu Generation and Distribution Corporation Limited,
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and
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W.M.P.No.26589 of 2024

in

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M.DHANDAPANI, J.

In view of amendment to the Court fee rules, this petition is allowed, subject to payment of separate Court fee, within a period of two weeks, from the date of receipt of a copy of this order, failing which this order shall be applicable only to the first petitioner.

27.08.2024

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