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W.P.No.35264 of 2022 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.35264 to 35270 of 2022

W.P.No.35264 of 2022:-

P.Narendran

... Petitioner

Vs.

1. The Assistant Divisional Engineer,
TNEB, Villivakkam, ICF,
Chennai – 600 049.

2. The Assistant Engineer,
AEE, TNEB, Tagoor Nagar,
Villivakkam, ICT,
Chennai – 600 049.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to give separate electricity connection in the name of the petitioner for his residential flat No.S3, Situated at old No.5, New No.7, Veerasamy Main Street, Ayanavaram, Chennai – 600 023, by considering the representation dated 27.07.2022.

In all W.Ps.

For Petitioner : Mr.A.T.Jayaraman

For Respondents : Mr.L.Jai Venkatesh (TNEB)



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COMMON ORDER

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These writ petitions have been filed for direction directing the respondents to give separate electricity connection for the residential flat situated at old No.5, New No.7, Veerasamy Main Street, Ayanavaram, Chennai.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. Originally, the petitioners viz., Nagarajan, Narendran, Vigneshwari are the legal heirs of one Krishnammal (Grandmother), who purchased the land to an extent of 2400 sq.ft., comprised in T.S.No.132 situated at old door No.5, new door No.7, Veerasamy Main Street, Ayanavaram, Chennai. After demise of the said Krishnammal, the said property was settled in favour them. The electricity service connection in S.C.No.029-037-483 stands in the name of their grandmother viz, Krishnammal.



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4. After demise of their grandmother, they decided to construct an apartment with eight floors and also entered into agreement of Joint Venture with the promoter. Accordingly, when the promoter proceed with the construction converted the electricity service connection which stands in the name of their grandmother as commercial service connection for construction purpose. After completion of seventh floor, the promoter died due to Covid-19 and therefore, the entire construction could not be completed. All the petitioners were allotted their respective flats. However, seven floors are concerned, they completed construction and they provided electricity service connection under the commercial tariff for construction purpose. Now the petitioners engaged another builder to complete the eighth floor as per plan.

5. The learned counsel appearing for the respondent submitted that electricity service connection can be provided to the petitioner for the residential purpose only on production of completion certificate.



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6. Considering the above submission, the petitioners are at liberty to produce the completion certificate and on production of completion certificate, the second respondent is directed to change the electricity service connection from commercial to domestic tariff.

7. With the above directions, all the Writ Petitions stand disposed of. There shall be no orders as to costs.

20.06.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



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G.K.ILANTHIRAIYAN. J.

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