



W.P.No.30839 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.30839 of 2024
and W.M.P.No.33436 of 2024**

G.Krishna

... Petitioner

Vs.

1.The Designated Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
AE/O&M/Nanganallur,
33/11 K.V.Sub-Station,
Nanganallur,
Chennai-600 061.

2.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
(O & M)/Nanganallur,
100 feet Road,
Nanganallur,
Chennai-600 061.

3.Abirami

....Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 19.09.2024 canceling the petitioner's Application No.2000924408241360 dated 17.08.2024, quash the same and consequently, direct the official respondents herein to provide new domestic service connection forthwith to the ground floor premises of the petitioner's house situated in Door No.7, Poonthottam, 2nd Street, Alandur, Nanganallur, Chennai, based on the petitioner's application bearing Reference No.2000924408241360, dated 17.08.2024 within the time period to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order dated 19.09.2024 issued by the first respondent canceling the petitioner's Application No.2000924408241360 dated 17.08.2024, and for a direction to the official respondents herein to provide new domestic service connection forthwith to the ground floor premises of the petitioner's house situated in



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Door No.7, Poonthottam, 2nd Street, Alandur, Nanganallur, Chennai, based on the petitioner's application bearing Reference No.2000924408241360, dated 17.08.2024 within a time stipulated by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner's grandfather was the owner of the property in Survey No.55/1B as per Patta Survey No.55/1B1A1A, Nanganallur Village, Alandur Taluk and in the said survey number, a house site was constructed and it consists of ground and first floors. During the lifetime of his grandfather, he has bequeathed the subject property in favour of the petitioner and the petitioner is residing in the ground floor of the premises and the third respondent is residing in the first floor of the premises, however, the third respondent is not sharing electricity consumption charges with the petitioner. Therefore, the petitioner applied for new Domestic Service connection to the official respondents through online application dated 17.08.2024 for his ground floor premises, however, the first respondent has rejected the application of the petitioner vide impugned



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order dated 19.09.2024 simply stating that there is a legal dispute, without assigning any valid reason and the impugned order is a non-speaking order.

3. The learned counsel appearing for the respondents 1 and 2 submits that if the petitioner executes an indemnity bond as per the Supply Code, service connection will be provided.

4. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents 1 and 2.

5. A perusal of the impugned order passed by the first respondent reveals that it is a non-speaking order and no valid reason has been assigned and in such a backdrop, the impugned order dated 19.09.2024 passed by the first respondent is liable to be set aside.

6. Accordingly, the impugned order dated 19.09.2024 passed by the first respondent is set aside and the matter is remanded back to the first



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respondent for fresh consideration. The petitioner is directed to execute Indemnity bond before the second respondent and on receipt of the same, the second respondent is directed to effect service connection in favour of the petitioner. It is made clear that merely effecting service connection in favour of the petitioner will not confer any right over the property.

7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Connected miscellaneous petition is closed.

23.10.2024

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



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To

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M.DHANDAPANI, J.

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