



W.P.No.37282 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2024

CORAM

THE HONOURABLE MR JUSTICE S. SOUNTHAR

WP. 37282 of 2024 and

WMP Nos.40307, 40308 of 2024

K.SEKAR

S/O.P.KUMARASAMY, NO.4,
THIRUVALLUVAR STREET, KAMARAJAR
NAGAR, PONDICHERRY-605 011.

PETITIONER

Vs

1. THE SECRETARY TO GOVERNMENT
(ELECTRICITY)
GOVERNMENT OF UNION TERRITORY OF
PONDICHERRY, PONDICHERRY.

2. THE SUPERINTENDING ENGINEER-I
DEPARTMENT OF ELECTRICITY, PONDICHERRY.

3. THE EXECUTIVE ENGINEER-I
DEPARTMENT OF ELECTRICITY, PONDICHERRY.

4. THE ASSISTANT ENGINEER / TOWN-II
DEPARTMENT OF ELECTRICITY, PONDICHERRY.

5. JUNIOR ACCOUNTS OFFICER (REVENUE-I)
DEPARTMENT OF ELECTRICITY, PONDICHERRY.



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6. THE CHAIRMAN

CONSUMER CRIEVANCES REDRESSAL FORUM, ELECTRICITY
DEPARTMENT, NO.16 17TH STREET, ANNA NAGAR,
PONDICHERRY-600 005. ...RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of Certiorarified mandamus, calling for the records culminating in order passed by the fourth respondent dated 28.12.2015 bearing reference No.TV-140/ED/AE/T-II-F. 1-V/15-16 and a consequential order dated 21.08.2023 bearing reference No. Endt.No.416/CGRF/2023 and quash the same and direct the sixth respondent to take petitioner's application bearing No.TV-140 dated 30.09.2014 and pass orders to give electricity connection to the petitioner premises.

For Petitioner : Mr.M.Aravind Subramanian, Senior Counsel
for Mr.V.Shenaz

For Respondent : Mr.V.Vasanthakumar, Addl. Government Pleader
(Pondicherry)

ORDER

This writ petition is filed, challenging the order passed by the fourth respondent, cancelling the application of the petitioner for service connection and consequential order passed by the sixth



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respondent, dismissing the application filed by the petitioner.

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2. It is the case of the petitioner that he is the rightful owner of the property in R.S.No.323/3, having purchased under a registered sale deed dated 04.10.2002. The petitioner submitted an application seeking new electricity service connection on 30.09.2014, however, the respondent, citing the outstanding arrears from the previous owners, directed the petitioner to pay the due amount. The petitioner failed to give any explanation and hence, his application was cancelled by the fourth respondent by impugned order dated 28.12.2015. Subsequently, the petitioner submitted an application before the sixth respondent, namely Consumer Grievances Redressal Forum on 09.08.2023 and it was rejected on the ground that the petitioner submitted the application after a period of two years. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel for the petitioner submitted that the



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petitioner is ready to pay the entire outstanding amount, however, allowance may be given to the petitioner for waiver of belated payment surcharge.

4. Mr.V.Vasanthakumar, learned Additional Government Pleader (Pondicherry), who takes notice for the respondents 1 to 4 submitted that the petitioner failed to submit any explanation for the letter of the fourth respondent dated 09.06.2015. Therefore, his application was cancelled.

5. In the light of the submission made by the learned Senior Counsel appearing for the petitioner, the petitioner is directed to submit his explanation to the office letter of the second respondent in Lr.No.TV-140/ED/AE/T-II/F.1-V/15-16/ dated 09.06.2015 within a period of two weeks from the date of receipt of a copy of this order. In case, the petitioner expresses his willingness to pay the outstanding amount, the second respondent shall consider waiver of belated payment surcharge and consider the explanation offered by the petitioner and dispose of the application submitted by him seeking new



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service connection, dated 30.09.2014, within a period of four weeks from the date of receipt of the explanation from the petitioner.

6. With the above direction, this writ petition is disposed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

09.12.2024.

Index : Yes / No
Internet : Yes / No
mst

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