



W.P.No.35948 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated **03.12.2024**

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.35948 of 2024
and W.M.P.No.38833 of 2024

U.Jayakandhan

... Petitioner

Vs.

1.The Chairman,
T.N.Electricity Generation & Distribution Company,
No.144, Anna Salai,
Chennai 02.

2.The Assistant Engineer, (O & M),
TANGEDCO,
Chennai Electricity Distribution Circle – West,
Senthil Nagar, Chennai 62.

3.R.Jaganathan

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorarified Mandamus, to call for the records of the second respondent in Proceedings in Letter No. AE/O&M/Senthil Nagar/File No./Lr.No.51/24, dated 08.08.2024 and quash the same as arbitrary, illegal and against the provisions of the



W.P.No.35948 of 2024

Electricity Act, 2003.

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For Petitioner : Mr.K.S.Purushothaman

For Respondents : Mr.L.Jaivenkatesh,
1, 2 SC (TNEB)

ORDER

This writ petition is filed challenging the notice issued by the second respondent, directing the petitioner to submit his explanation along with supporting documents to show his ownership over the property in Old Survey No.542/2 Part, New Survey No.39/2, Block-113, Thirumullaivoyil, Avadi Taluk, Thiruvallur District in respect of which, temporary electricity service connection was given to the petitioner in service connection bearing S.C.No.459-044-4096.

2. It is the case of the petitioner that the above mentioned property was allotted to him under a registered family partition dated 20.03.2020 and thereafter, revenue records also mutated in his favour. For construction of building in the said property, the petitioner applied for temporary electricity service connection and after perusing the



W.P.No.35948 of 2024

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required documents, the official respondents extended the temporary service connection to the said property under LT-Tariff-VI. Subsequently, the third respondent herein made some objection regarding the petitioner's right over the property before the Legal Cell of TANGEDCO and at the instance of the Legal Cell, the second respondent had issued the impugned notice, dated 08.08.2024 to the petitioner directing him to offer his explanation along with the supporting documents. In response to the said impugned notice, the petitioner has submitted his detailed reply along with the supporting documents on 20.08.2024. In spite of production of documents, the second respondent is threatening disconnection of electricity service connection and refused to change the tariff from construction purpose to regular service. As such, the petitioner is before this court.

4. The impugned order is only a show cause notice, directing the petitioner to substantiate his right over the property in respect of which temporary electricity service connection was given and the petitioner has also offered his explanation along with the supporting documents on 20.08.2024.



W.P.No.35948 of 2024

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4. Inview of the above, the second respondent is directed to consider the explanation offered by the petitioner and pass final orders, after affording reasonable opportunity to the petitioner and the third respondent, within a period of six weeks from the date of receipt of a copy of this order.

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

03.12.2024

Index:Yes/No
Internet:Yes/No
mst

To

- 1.The Chairman,
T.N.Electricity Generation & Distribution Company,
No.144, Anna Salai, Chennai 02.
- 2.The Assistant Engineer, (O & M),
TANGEDCO,
Chennai Electricity Distribution Circle – West,
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W.P.No.35948 of 2024

S.SOUNTHAR, J.

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W.P.No.35948 of 2024
and W.M.P.No.38833 of 2024

03.12.2024