

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.05.2008

CORAM:

THE HONOURABLE MR.JUSTICE G.RAJASURIA

W.P.NO.9453 of 2008

S.M.K.Kulanthaivelu

..Petitioner

VS

The Assistant Engineer, Town
Tamil Nadu Electricity Board
Vellore Electricity Distribution Circle,
Panapakkam,
Arakkonam,
Vellore District.

..Respondent

Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorified Mandamus calling for the records of the respondent in letter No. Vu.Po/Na/Panapakkam/F.Po/ A.No. 189/07 dated 29.09.2007 and quash the same and direct the respondent to grant a domestic electricity supply connection to the petitioner's premises at S.No.48, No.16, Ocheri Salai, Panapakkam Village, Arakkonam Taluk, Vellore District.

For petitioner : Mr.P.Krishnan

For respondent : Mr.L.S.N.Hasan Fizal,
Government Advocate for
Mr. S.N. Kirubanandam

ORDER

Heard. This Writ Petition is filed to quash the order of the respondent in letter No. Vu.Po/Na/Panapakkam/F.Po/ A.No. 189/07 dated 29.09.2007 and to direct the respondent to grant a domestic electricity supply connection to the petitioner's premises at S.No.48, No.16, Ocheri Salai, Panapakkam Village, Arakkonam Taluk, Vellore District.

2. A resume of the facts absolutely necessary and germane for the disposal of this Writ Petition would run thus:-

When the Writ Petitioner approached the respondent for domestic electricity service connection, the latter raised queries relating to the ownership of the petitioner over the land relating to which electricity connection was sought for. Being aggrieved and dissatisfied by such queries, the petitioner filed this Writ Petition.

3. Learned counsel for the petitioner placing reliance on the decision of this Hon'ble Court dated 28.04.2005 in W.P.No.14201 of 2005 would develop his argument that at the most the respondent could demand for Indemnity Bond under Rule 27.4 of the Tamil Nadu Electricity Distribution Code and nothing more. Learned counsel for the respondent would submit that in the interest of justice alone, the respondent asked the petitioner to furnish the particulars relating to the ownership. Hence, in such circumstances, the following direction is issued:-

"The respondent shall give Electricity Service Connection to the petitioner on the petitioner furnishing Indemnity Bond as contemplated under Rule 27.4 of the Tamil Nadu Electricity Distribution Code."

4. With the above direction, the Writ Petition is disposed of. No costs.

Sd/
Vacation Officer

/true copy/

Sub Asst.Registrar

mra

To

The Assistant Engineer, Town
Tamil Nadu Electricity Board
Vellore Electricity Distribution Circle,
Panapakam, Arakkonam,
Vellore District.

1 cc To Mr.P.Krishnan, Advocate, SR.26750.

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RVL 15.05.2008