

Lakshmana Boyan Vs. the Assistant Engineer and ors.

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SooperKanoon Citation : sooperkanoon.com/910764

Court : Chennai

Decided On : Feb-21-2011

Judge : R.Sudhakar, J.

Appeal No. : Writ Petition Nos.3884 and 3885 of 2011 and M.P.No.1 of 2010

Appellant : Lakshmana Boyan

Respondent : The Assistant Engineer and ors.

Advocate for Def. : Mr.T.Ravindran, Adv.

Advocate for Pet/Ap. : Mr.N.Srinivasan, Adv.

Judgement :

COMMON ORDER

1. Writ Petition No.3884 of 2011 is filed praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent relating to order dated 8.2.2011 passed in Ka.No.Assistant Engineer/Nallur/Dvn.Indl./Ka.No.267 and quash the same and consequently direct the 1st respondent to give Electricity Service Connection to the house in S.F.No.155, Site No.29, Jai Nagar, Boyar Colony, Nallur, Tiruppur-6, Tiruppur District on receipt of the application for electricity service connection from the petitioner.

2. Writ Petition No.3885 of 2011 is filed praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent relating to order dated

8.2.2011 passed in Ka.No.Assistant Engineer/Nallur/Dvn.Indl./Ka.No.268 and quash the same and consequently direct the 1st respondent to give Electricity Service Connection to the house in S.F.No.150, Site No.7, Valliammai Nagar, 6th Street, Nallur, Tiruppur-6, Tiruppur District on receipt of the application for electricity service connection from the petitioner.

3. Mr.J.Ravindran, learned counsel takes notice on behalf of the first respondent electricity board and Mr.T.Chandrasekaran, learned counsel takes notice on behalf of the second respondent temple in both the writ petitions.

4. Learned counsel for the second respondent temple states that the land belongs to the second respondent temple. The first respondent Assistant Engineer, Electricity Board, has refused to give electricity service connection stating that the tax receipt issued by the municipality should be enclosed along with the application.

5. As far as the first respondent is concerned, learned counsel appearing for the first respondent Electricity Board states that the Electricity Board is willing to give service connection, provided the consumer furnishes an indemnity bond in terms of Regulation 27(12) of the Tamil Nadu Electricity Distribution Code.

6. The learned counsel for the petitioner states that if the second respondent temple authorities are able to establish that the land belongs to the temple, the petitioners are willing to pay the appropriate rent as may be fixed in accordance with law by the competent authority. Recording such statement, both the eight Writ Petitions are ordered as follows:-

"The first respondent Electricity Board is directed to provide service Connection to the petitioner in both the writ petitions for domestic consumption on furnishing an indemnity bond as prescribed under Regulation 27(12) of the Tamil Nadu Electricity Distribution Code within four weeks from the date of receipt of a copy of this order along with application. On submitting the application, the first respondent shall consider the application on merits and in accordance with law and provide the domestic electricity service connection if the application is otherwise in order. No costs. Consequently, connected miscellaneous petitions are closed."

