



W.P(MD)No.5139 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5139 of 2015
and
M.P(MD)Nos.1, 2 & 3 of 2015

S.Mohammed Mohideen

... Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Electricity Board,
Mount Road,
Chennai – 600 002.
- 2.The Assistant Executive Engineer,
Maintenance and Operation,
Tamil Nadu Electricity Board,
Thuvarangkurichi,
Thanjavur District – 614 613.
- 3.The Executive Engineer,
Maintenance and Operation,
Tamil Nadu Electricity Board,
Thuvarangkurichi,
Thanjavur District – 614 613.
- 4.S.Mohammed Aslam

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 1 and 3 from disconnecting the electricity connection No. 06-447-017-546, standing in the name of the petitioner pursuant to the letter dated 11.08.2014 and made in D-73/14, 15/ dated 11.08.2014 and letter dated 26.12.2014 and made in Emeepo/Epara/Thuvarangkuruchi - D-144/14-15.

For Petitioner : Mr.G.Ravi Sankar

For Respondents : Mr.S.Dheenadhayalan
Standing Counsel for R.1 to R.3

ORDER

Heard the learned counsel on either side.

2. The petitioner and the fourth respondent are brothers. The family property had been divided between them. The petitioner erected a borewell and also obtained electricity service connection. The fourth respondent complained that the borewell had been put up in the land allotted to his share. Acting on the complaint of the fourth respondent, the second respondent had informed the petitioner about their proposal to effect disconnection. The petitioner had given representation but the TANGEDCO authorities appeared to be unrelenting. That led to the filing of this writ petition.



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3. It is seen that during the pendency of the writ petition, the fourth respondent had filed O.S.No.210 of 2018 on the file of District Munsif Court, Pattukkottai seeking relief of declaration and recovery of possession. The borewell is found inside in the suit schedule area. Therefore, the TANGEDCO authorities, namely, the respondents 2 and 3 shall act based on the outcome of the said civil suit.

4. With this direction, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

13.09.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Chairman,
Tamil Nadu Electricity Board,
Mount Road,
Chennai – 600 002.

2.The Assistant Executive Engineer,
Maintenance and Operation,
Tamil Nadu Electricity Board,
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MGA

3.The Executive Engineer,
Maintenance and Operation,
Tamil Nadu Electricity Board,
Thuvarangkurichi,
Thanjavur District – 614 613.

Copy to:

The District Munsif Court,
Pattukkottai.

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and

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