

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.21936 of 2013

and

M.P.No. 1 of 2013

Lagumamma

..

Petitioner

Versus

1.The Executive Engineer
Operation and Maintenance,
TANGEDCO, Hosur Town,
Krishnagiri District.

2.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Andhivadi,
Hosur Taluk, Krishnagiri District.

3.C.Srinivasulu

...

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the second respondent from giving electricity connection to the third respondent pertaining to S.No.654 /4A Mookandapalli Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr. R.Jayaprakash
For Respondents 1 & 2 : Mr.Varunkumar
For Respondent - 3 : Mr.V.Raghavachari

ORDER

By consent of both the learned counsel, the writ petition is taken up for final disposal. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the materials placed on record.

2. Petitioner seeks for a writ of mandamus forbearing the second respondent i.e., the Tamil Nadu Electricity Board from granting

electricity service connection to the third respondent. The petitioner has filed a suit in O.S.No.9 of 2013 on the file of the District Munsif, Hosur in which, the petitioner has sought for a decree of declaration of her title over the suit property and for consequential decree of permanent injunction, and to declare the sale deeds dated 20.04.2005 and 15.03.2006 as null and void. In the said suit, the third respondent is the fifth defendant.

3.It is seen that the petitioner has sought for declaration to declare the sale deed executed in favour of the third respondent dated 15.03.2006 as null and void. Pending civil suit, the petitioner contends that the third respondent should not be granted electricity service connection.

4.In the light of above circumstances, this court is of the view that since the issue is pending before the Civil Court, no useful purpose would be served by directing the second respondent to consider the objection filed by the petitioner. The petitioner states that the electricity service connection should not be granted to the third respondent, till the final decree is passed in the suit. Accordingly, pending disposal of the suit, the petitioner is at liberty to approach the Civil Court for an appropriate relief.

5. With the above observation, this writ petition is disposed of. No costs. The connected M.P. is closed.
smi

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

To

1.The Executive Engineer, Operation and Maintenance,
TANGEDCO, Hosur Town, Krishnagiri District.

2.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Andhivadi,
Hosur Taluk, Krishnagiri District.

3.The District Munsif, Hosur.

+ 1 cc to M/s.R.Jayaprakash, Advocate SR 22792

+ 1 cc to M/s.M.Varunkumar, Advocate SR 22404

mp(co)
prk25/5

WP.No.21936 of 2013