



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2015

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WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 5195 of 2015
and
M.P. (MD) No. 1 of 2015

M. Arunachalam

... Petitioner

Vs.

- 1 THE EXECUTIVE ENGINEER , TNEB
(DISTRIBUTION), TUTICORIN (RURAL).
- 2 THE ASSISTANT EXECUTIVE
ENGINEER, TAMIL NADU ELECTRICITY BOARD,
VILATHIKULAM, TUTICORIN DIST.
- 3 ANTHONI PITCHAI
- 4 GUNASEKARAN ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order vide Ka.No.Oo.Se.Po V Vilathai Ko.Kattu A 077/2015 dated 26.03.2015 passed by the 2nd respondent, quash the same as illegal, and consequently direct the respondent Nos.1 and 2 to provide the Electricity Connection to the Petitioner's dwelling house situated at 23 G, Chidambaram Nagar, Vilathikulam, Tuticorin District.

For Petitioner : Mr.K.Mariyappan

For Respondents : Mr.S.Krishnamoorthy for
Mr.A.U.Ramanathan for
R1 and R2

Mr.Veera Kathiravan for R3&R4

O R D E R

This writ petition has been filed to quash the impugned order in Ka.No.Oo.Se.Po V Vilathai Ko.Kattu A 077/2015 dated 26.03.2015 passed by the 2nd respondent, as illegal, and consequently direct the respondents 1 and 2 to provide Electricity Connection to the Petitioner's dwelling house situated at 23 G, Chidambaram Nagar, Vilathikulam, Tuticorin District.



2.It is the specific case of the petitioner that a civil suit is pending in O.S.No.23 of 2012 on the file of the District Munsif Court, Vilathikulam, wherein, in I.A.No.106 of 2012, injunction was granted against the respondents 3 and 4 herein, on 01.08.2012, and the said injunction is still in force. Hence, the learned counsel for the petitioner confines his prayer to the effect that there shall be a direction to the respondents 1 and 2 to give temporary service connection to the petitioner, which should be subject to the result of the civil suit pending, for which the learned counsel for the respondents have no serious objection.

3.Heard the learned counsel on either side.

4.Considering the submissions made on either side, the respondents 1 and 2 are directed to give temporary electricity service connection to the petitioner, which is subject to the outcome of the civil suit pending before the District Munsif Court, Vilathikulam in O.S.No.23 of 2012.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1 THE EXECUTIVE ENGINEER , TNEB.,
(DISTRIBUTION), TUTICORIN (RURAL).

2 THE ASSISTANT EXECUTIVE
ENGINEER, TAMIL NADU ELECTRICITY BOARD,
VILATHIKULAM, TUTICORIN DISTRICT

+One cc to Mr.Veerakathiravan, Advocate, SR.No.34572

+One cc to Mr.K.Mariappan, Advocate, SR.no.34006

KM

RL/5 c- 7/7/2015

W.P(MD)No.5195 of 2015

and

M.P. (MD)No.1 of 2015