

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2930 of 2016
and
W.M.P.No.2443 of 2016

Muthumari

.. Petitioner

V.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Dharmapuri Circle, Dharmapuri District.
- 3.The Assistant Engineer (M & O)
Tamil Nadu Electricity Board,
Krishnapuram Division,
Dharmapuri.
- 4.Palani
- 5.Muniappan

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus forbearing the 3rd respondent from providing electricity connection to the 4th and 5th respondents unauthorised building at S.No.66/2A, 69/2 of Krishnapuram Village, Dharmapuri District.

For Petitioner .. Mr.M.Selvam

For 1st Respondent .. Mr.R.Rajeswaran

Special Government Pleader

For Respondents 2 & 3 .. Mr.M.Varunkumar

ORDER

Heard Mr.M.Selvam, learned counsel for the petitioner; Mr.R.Rajeswaran, learned Special Government Pleader accepting notice for the 1st respondent and Mr.M.Varunkumar, learned Standing Counsel accepting notice on behalf of the respondents 2

and 3 and with their consent, the Writ Petition is taken up for final disposal at the admission stage.

2.The petitioner has approached this Court seeking for a direction to the Electricity Board not to grant electricity supply to the respondents 4 and 5. The petitioner's case is that based on an alleged oral partition, in which, he was allotted a portion of the property. Further allegation is that the respondents 4 and 5 have put up unauthorised construction. If that be so, the respondents 1 to 3 are not the competent authorities to look into as to whether the construction is in accordance with the approved plan. In any event, the dispute, being an inter se family dispute, between the petitioner and the respondents 4 and 5, the petitioner has to approach the civil Court for necessary relief. Hence, the prayer sought for by the petitioner cannot be granted and the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Dharmapuri Circle, Dharmapuri District.
- 3.The Assistant Engineer (M & O)
Tamil Nadu Electricity Board,
Krishnapuram Division,
Dharmapuri.

+1cc to M/S.M.Varunkumar, Advocate, S.R.No.6224
+1cc to M/S.M.Selvam, Advocate, S.R.No.5114
+1cc to the Government Pleader, S.R.No.5507

W.P.No.2930 of 2016

ala(CO)
srg(05/02/2016)