

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9724 of 2017

Mrs.Jayabharathi
Proprietrix
M/s Maanasaroba Springs
Door No.1/9, 1/10, 1/11
Govindan Kattuvalasu
Puliyampatti, Pullagoundanpatti PO
Sankari Taluk
Salem District ... Petitioner

-vs-

1. The Assistant Engineer
Tamil Nadu Electricity Board
Chinnappa Naickapalayam
B-Komarapalayam
Sankari Taluk, Salem District
2. M.Mahendran ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the first respondent from disconnecting the petitioner's electricity service connection bearing consumer No.156-011-654/IIIB at Door No.1/9, 1/10, 1/11, Govindan Kattuvalasu, Puliyampatti, Pullagoundanpatti PO, Sankari Taluk, Salem District till the final orders passed by him on the petitioner's reply representation dated 04.04.2017.

For Petitioner :: Mr.G.V.Sridharan

For Respondents :: Mr.S.K.Rameshuwar for R1

ORDER

The petitioner has come to this Court seeking an unnecessary direction, which is absolutely impermissible. The reason is that when the petitioner has already filed a suit in O.S.No.30 of 2017 on the file of the learned Subordinate Judge, Sankari for a judgment and decree of permanent injunction against the defendant, their henchmen, servants, during the pendency of the

suit, the petitioner cannot come to this Court making the electricity department as one of the parties with a prayer not to disconnect the electricity service connection. Therefore, the writ petition is dismissed, for the reason that two parallel proceedings cannot be permitted. However, the petitioner can work out his remedy in the manner known to law in the pending suit. Consequently, W.M.P.No.10705 of 2017 is also dismissed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ss

To

1. The Assistant Engineer
Tamil Nadu Electricity Board
Chinnappa Naickapalayam
B-Komarapalayam
Sankari Taluk, Salem District

+1 cc to Mr.G.V.Sridharan, SR.No.23923

nr(co)
rmp(03/05/17)

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