

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 14.12.2018  
CORAM  
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.26537 of 2018  
and W.P.M.P.Nos.30891 and 30894 of 2018

Mythili @ Vaithegi

..Petitioner

Vs

1.Assistant Engineer,  
Boomianpet,  
Office of the Assistant Engineer,  
Electricity Department,  
Government of Puducherry,  
Puducherry 605005.  
2.chitra  
3.L.Swarnalakshmi

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order bearing No.110/ED/AE/BMPT/F.33/18-19 dated 09.05.2018 of the first respondent transferring the Electricity Service Connection bearing Electricity Policy Code No.32-71-5-0195/A2 from the name of the petitioner to the name of the third respondent and quash the same as arbitrary, illegal and against principle of natural justice and consequently direct the first respondent to restore the Electricity Service Connection bearing Electricity Policy Code No. 32-71-5-0195/A2 to the name of the petitioner.

For Petitioner : Mr.S.Sathish

For Respondents: Mr.R.Sukumaran for R2 and R3.

O R D E R

The order passed by the first respondent in proceeding dated 09.05.2018, transferring the electricity connection standing in the name of the writ petitioner in favour of the third respondent is under challenge in the present writ petition.

2.The learned counsel for the petitioner states that the electricity service connection originally stood in the name of the writ petitioner and there was a dispute in respect of the title and a suit was filed by the writ petitioner before the competent civil Court of law and the suit was dismissed and thereafter the petitioner preferred a first appeal before the Appellate Court, which is now pending.

3. Pending disposal of the first appeal, the learned counsel for the petitioner states that the electricity service connection should be restored in the name of the writ petitioner.

4. The learned counsel for the third respondent states that the third respondent will not cause any hindrance in respect of the usage of electricity by the writ petitioner, till the civil litigation are concluded.

5. In view of the assurance fairly provided the learned counsel for the third respondent, this court is inclined to pass the following order.

(i) The status-quo as on today shall be maintained by the respective parties till the conclusion of the civil litigation. Which is now pending before the competent Civil Court of law.

(ii) After the conclusion of all the Civil litigations, the respective parties are at liberty to file a fresh application before the first respondent for effecting name transfer based on the judgment and decree, if any passed by the Civil Court of law.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

Assistant Engineer,  
Boomianpet,  
Office of the Assistant Engineer,  
Electricity Department,  
Government of Puducherry,  
Puducherry 605005.

+1cc to Mr.S.Sathish, Advocate sr.no.86962  
+1cc to Mr.K.Sukumaran, Advocate sr.no.87002

W.P.No.26537 of 2018  
and  
W.P.M.P.Nos.30891  
and 30894 of 2018

sr(co)  
nr 10/01/2019