



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.[MD]No.22036 of 2018

Seetha Lakshmi

: Petitioner

Vs.

1. The Executive Engineer,
TANGEDCO,
Orthanadu,
Thanjavur District.
2. The Superintendent Engineer,
Superintendent Engineer Office,
TANGEDCO,
Thanjavur District.
3. The Assistant Engineer,
Organizing and Managing,
Tamil Nadu Electricity Board,
Saaliyamagalam,
Thanjavur District.
4. Panneer Selvam

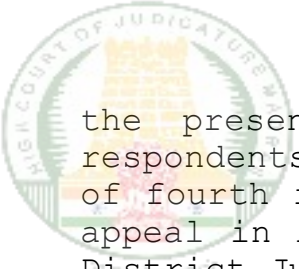
: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from providing electricity connection in the name of fourth respondent in the suit property till the disposal of the appeal in A.S.No.90 of 2018 the same is pending before Additional District Judge, Kumbakonam, based on the petitioner's representation dated 09.07.2018.

For Petitioner : Mr.C.Nagamuthu
For Respondents 1 to 3 : Mr.S.M.S.Johnny Basha
Standing Counsel

O R D E R

It is an admitted fact that there are civil proceedings pending between the petitioner and the fourth respondent in regard to the partition of the property. Pending suit, the fourth respondent appears to have approached the TANGEDCO for providing electricity connection. At this, the petitioner has raised objection and filed



the present writ petition seeking a direction to forbear the respondents 1 to 3 from providing electricity connection in the name of fourth respondent in the suit property, till the disposal of the appeal in A.S.No.90 of 2018, pending on the file of the Additional District Judge, Kumbakonam.

2.This Court is unable to appreciate as to how such a writ petition is maintainable, when admittedly appeal suit is pending in regard to the rival claims between the petitioner as well as the fourth respondent. When Civil proceedings are pending between the petitioner and the fourth respondent, any decision taken in the writ petition will have a direct bearing on the outcome of the suit proceedings.

3.Therefore, this Court is of the view that the writ petition is not maintainable. The same stands dismissed, accordingly. No costs.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Executive Engineer,
TANGEDCO,
Orthanadu, Thanjavur District.
2. The Superintendent Engineer,
Superintendent Engineer Office,
TANGEDCO, Thanjavur District.
3. The Assistant Engineer,
Organizing and Managing,
Tamil Nadu Electricity Board,
Saaliyamagalam,
Thanjavur District.

+ 1 CC TO Mr.V.SELVA, ADVOCATE IN SR No. 93416

MR
TE/SV/SAR-2 : 26/11/2018 : 2P/5C

ORDER MADE IN
W.P.[MD]No.22036 of 2018
29.10.2018