



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18039 of 2018

and

W.M.P. (MD) No.15927 of 2018

Karmegam

... Petitioner

vs.

1. The Chief Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Madurai,
Madurai District.
2. The Superintending Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Sivagangai,
Sivagangai District.
3. The Executive Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Karaikudi, Sivagangai District.
4. The Assistant Executive Engineer,
(Rural, North)
Tamil Nadu Electricity Board,
Distribution and Maintenance,
E.B.Road, Devakottai,
Sivagangai District.

5. Kavitha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus forbearing the respondents 3 and 4 herein from giving electricity service connection in favour of the fifth respondent or her men relating to premises bearing Survey No.1/4A, Semanenthal @ Mullikundu Village, Sirumaruthur Group, Devakottai Taluk, Sivagangai District by considering the petitioner's representation dated 27.07.2018.

For Petitioner : Mr.A.Saravanan

For Respondents : M/s.M.Rajeswari

1 to 4

for Mr.S.M.S.Johny Bhasha

O R D E R

From the nature of the prayer sought for in the writ petition, it appears that the petitioner has some private dispute as against the private respondent in regard to the grant of electricity connection to the premises occupied by the fifth respondent.

2. According to the petitioner, he had already obtained a civil Court decree in his favour and despite the civil Court decree, the fifth respondent attempts to get electricity connection to her premises. Objecting to the grant of electricity connection, the petitioner is before this Court seeking the prayer as stated supra.

3. From the averments contained in the writ petition, it appears to be a civil dispute between the petitioner and the fifth respondent. This Court does not think that the writ petition can be entertained by this Court which is exercising its extraordinary jurisdiction under Article 226 of the Constitution of India. Therefore, the Writ Petition is *per se* not maintainable and the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed. It is always open to the petitioner to work out his remedy in the manner known to law, if he is so advised.

Sd/-

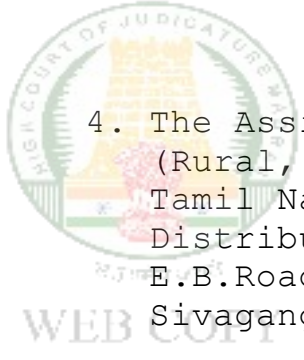
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

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4. The Assistant Executive Engineer,
(Rural, North)
Tamil Nadu Electricity Board,
Distribution and Maintenance,
E.B.Road, Devakottai,
Sivagangai District.

SSL

VB/KAK/SAR1/31.08.2018/3P/5C

**W.P. (MD) No.18039 of 2018
and
W.M.P. (MD) No.15927 of 2018
16.08.2018**