



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD) .Nos.22095 and 23340 of 2018

W.P. (MD) .No.22095 of 2018:

A.Paulraj ... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District, Dindigul.

3.The Assistant Executive Engineer (Distribution),
TANGEDCO., N.Panchampatti,
Aathur Taluk, Dindigul District.

4.A.Anthos Kinnar

5.Thomas Anthony Cruse

6.Albert

7.D.Pichai Arockiyam

8.S.Esakku

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, to direct the first and second respondents to accord adequate police protection to the petitioner, for removing electricity meter relating to Electricity S.C.No.233-002-54 IIC fixed within the premises of petitioner's Villagers Church, namely, St.Thomas Church situated at Thomaiyarpuram, Dindigul and to fix the same in the outer wall of the Church as observed in order dated 04.04.2018 in W.P.(MD)No.1756 of 2018 based on the representation dated 27.09.2018.

For Petitioner	: Mr.A.Arul Jenifer
For R1 and R2	: Mr.R.Anandharaj Additional Public Prosecutor
For R3	: Ms.M.Parameswari, for Mr.SMS.Johnivy Basha
For R4 to R8	: Mr.A.Karthik Kumar

W.P. (MD) .No.23340 of 2018:

Saveriyar : Petitioner

Vs.



1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District, Dindigul.

3.The Assistant Executive Engineer (Distribution),
TANGEDCO., N.Panchampatti,
Aathur Taluk, Dindigul District.

4.A.Paulraj

: Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, to direct the first and second respondents to grant appropriate police protection to shift the meter box of electricity service connection No.233-002-54-IIC, from inside of the Punitha Thomaiyar Church, situating in Thomaiyarpuram to convenient place so as to facilitate the third respondent to record the meter reading by taking into consideration of the third respondent's proceedings dated 30.11.2017 as well as the petitioner's representation dated 19.11.2018.

COMMON ORDER

Since the issue involved in these writ petitions are one and the same, both the writ petitions are disposed of by a common order.

2.These writ petitions have been filed to direct the first and second respondents to accord adequate police protection to the petitioners, for removing electricity meter relating to Electricity S.C.No.233-002-54 IIC fixed within the premises of petitioners' Villagers Church, namely, St.Thomas Church situated at Thomaiyarpuram, Dindigul and to fix the same in the outer wall of the Church.

3.On perusal of the records shows that the petitioner in W.P. (MD)No.22095 of 2018 is fourth respondent in W.P(MD)No.23340 of 2018 filed a writ petition in W.P.(MD)No.1752 of 2018, in which, this Court by an order dated 04.04.2018, directed the third respondent to restore the electricity service connection No.233-002-54-IIC on payment of all arrears of electricity charges and also directed the third respondent to shift the meter box of the said electricity connection to a convenient place, where the third respondent may be facilitated to record the meter reading, out side of the wall, in the Punitha Thomaiyar Church, situating in Thomaiyarpuram.

4.The petitioners in both writ petitions are rival parties and are claiming right over the Punitha Thomaiyar Church, situating in



Thomaiyarpuram. In this regard the villagers in Thomaiyarpuram filed a suit in O.S.No.202 of 2017 before the Additional District Munsif Court, Dindigul for bare injunction and the same is pending. Therefore, the police protection sought for in both the writ petitions to shift the meter box of the electricity service connection No.233-002-54-IIC from inside the Punitha Thomaiyar Church, situating in Thomaiyarpuram cannot be granted. Therefore, these writ petitions are devoid of merits. Accordingly, these Writ Petitions are dismissed.

5.Further, the third respondent has to seek necessary police protection, if he has found any hindrance or difficulty at the time of shifting the meter box from inside the said Church.

6.However, the Civil Court, namely, the Additional District Munsif Court, Dindigul is directed to complete the trial within time frame as stipulated by this Court in the earlier order. It is also made clear that after the out come of the suit, the third respondent is directed to comply the order passed by this Court in W.P.(MD) No.1756 of 2019, dated 04.04.2018. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District, Dindigul.
3. The Additional District Munsif, Dindigul.
- 4.The Assistant Executive Engineer (Distribution),
TANGEDCO., N.Panchampatti,
Aathur Taluk, Dindigul District.

W.P. (MD) .Nos.22095 and 23340 of 2018
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VB(15.11.2019) 3P 5C