

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2020

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.1248 of 2020

S.Maruthachalam

... Petitioner

-vs-

1.The Superintending Engineer,
Coimbatore Electricity Distribution
Circle/North,
TANGEDCO, Tatabad,
Coimbatore-641 012.

2.The Assistant Executive Engineer,
O&M, TANGEDCO,
CEDC/North, Pothanur,
Coimbatore.

3.The Assistant Engineer,
O&M, TANGEDCO,
CEDC/North, Pothanur,
Coimbatore.

4.The Commissioner,
Corporation of Coimbatore,
Coimbatore.

... Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents 1 to 3 from effecting temporary/permanent service connection to the 4th respondent corporation in the petitioner's land situated in SF No.657, 658 at Uppilipalayam Village, Coimbatore Taluk, Coimbatore to an extent of 155 cents based on the petitioner's representation dated 30.09.2019.

For Petitioner

:Mr.R.Sivakumar

For Respondents

:RR1 to 3 - Mr.R.Damodaran
Standing Counsel &
Mr.M.Vijay Meghanath

ORDER

Heard Mr.R.Sivakumar, learned counsel for the petitioner and Mr.R.Damodaran, learned Standing Counsel accepting notice on behalf of the first to third respondents.

2.With consent on either side, this writ petition is taken up for final disposal.

3.This writ petition has been filed by the petitioner to forbear the respondents from effecting temporary/permanent service connection to the fourth respondent, Corporation of Coimbatore for establishing Sewage Treatment Plant (STP) in S.F.Nos.657 and 658, Uppilipalayam Village, Coimbatore Taluk.

4.According to the petitioner, the name of the Tamil Nadu Water Supply and Sewage Board was wrongly included in his patta and he sought for deletion of the said name by approaching the revenue authorities and has subsequently filed writ petition before this Court in W.P.No.21158 of 2019. The said writ petition is still pending.

5.Further, the petitioner would state that he has filed Special Leave Petitions in S.L.P.Nos.7659-7662 of 2017 before the Hon'ble Supreme Court for a direction not to install the sewage treatment plant in the land, which is claimed to be owned by the petitioner.

6.When these matters are pending, now the petitioner seeks for a direction not to give service connection to the Corporation for establishing the sewage treatment plant either in the nature of temporary connection or a permanent connection. When the matters are pending before this Court and the Hon'ble Supreme Court, in the interregnum, the petitioner cannot seek for a relief, which is, in fact, an interim relief, which the petitioner should avail in the pending writ petition. Therefore, this Court is not inclined to entertain this writ petition. However, it is open to the petitioner to seek for appropriate relief in W.P.No.21158 of 2019, which is pending.

7.With the above observations, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

abr

To

1.The Superintending Engineer,
Coimbatore Electricity Distribution
Circle/North,
TANGEDCO, Tatabad,
Coimbatore-641 012.

2.The Assistant Executive Engineer,
O&M, TANGEDCO,
CEDC/North, Poathanur,
Coimbatore.

3.The Assistant Engineer,
O&M, TANGEDCO,
CEDC/North, Poathanur,
Coimbatore.

4.The Commissioner,
Corporation of Coimbatore,
Coimbatore.

+1cc to Mr.Sivakumar, Advocate Sr.5429

W.P.No.1248 of 2020

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srg 03/03/2020



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