



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10066 of 2020

S.Mitheen Khan

... Petitioner

Vs.

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Parvathipuram,
Nagercoil,
Kanyakumari District.

2.The Assistant Executive Engineer (Distribution),
Tamil Nadu Electricity Board,
Eraniel,
Kanyakumari District.

3.The Junior Engineer,
Tamil Nadu Electricity Board,
Manavalakurichi,
Kanyakumari District.

4.Zahir Hussain

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to temporarily disconnect the electric supply bearing electricity connection No.PKL 07-174-15-939 in Petitioner's building No.11/88B, Manavalakurichi Town Panchayat, Kanyakumari District by considering the representation of the petitioner dated 04.11.2019 and 02.12.2019.

For Petitioner : Mr.S.C.Herold Singh

O R D E R

Heard the learned counsel appearing for the petitioner.

2.The petitioner wants the EB Authorities to effect disconnection of the petition mentioned service connection.

<https://hcservices.ecourts.gov.in/hcservices/>



3.It is seen that the petitioner had already filed an ejectment suit against the fourth respondent. Since the petitioner is unable to obtain a decree in the said suit, it appears that the petitioner has chosen to file a writ petition.

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4.I am of the view that the petitioner has to necessarily work out his claims against the fourth respondent only in the pending suit. Filing the writ petition is misconceived. Therefore, the Writ Petition stands dismissed *in limini* at the admission stage without notice to the respondents. However, there is merit in the petitioner's counsel's contention that the disposal of the suit can be expedited. Therefore, I direct the learned trial Judge namely, Sub Court, Eraniel, to dispose of O.S.No.194 of 2018 on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Sub Judge,
Eraniel,
Kanyakumari District.

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

W.P. (MD) No.10066 of 2020

26.08.2020

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SDS (03.09.2020) 2P-2C