



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Sixth day of January Two Thousand Twenty

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA

WMP(MD) No.6540 of 2019

IN

WP(MD) No.8343 of 2019

P.UDAYATHEVAN

... PETITIONER

Vs

1.THE EXECUTIVE ENGINEER,
TAMIL NADU ELECTRICITY BOARD,
SIVAGANGAI, SIVAGANGAI DISTRICT.

2.THE ASSISTANT ENGINEER,
TAMIL NADU ELECTRICITY BOARD,
MARAVAMANGALAM, SIVAGANGAI DISTRICT.

3.THE BLOCK DEVELOPMENT OFFICER,
KALAIYARKOVIL TALUK, SIVAGANGAI DISTRICT.

4.AMMA KANNU

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an Interim Direction directing the 1st & 2nd respondents to provide temporary electricity connection in the petitioner's house in door No.288/1, Annanagar, Maravamangalam Village, Sivagangai District, pending disposal of this Writ Petition.

Prayer in WP(MD). 8343/ 2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus, directing the 1st & 2nd respondent to provide electricity connection in respect of the petitioner's house in door No.288/1, Annanagar, Maravamangalam Village, Sivagangai District, without insisting House Tax receipt from the 3rd respondent.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.JEYAKUMARAN, Advocate for the petitioner and of Mrs.S.SRIMATHY, Advocate for R1,R2 and Mr.N.SHANMUGASELVAM, Advocate for R3 and Mr.N.SATHISH BABU, Advocate for R4, the court

<https://hcservices.ecourts.gov.in/hcservices/>
made the following order:-



The petitioner seems to have purchased the property, for which he is seeking electricity power supply, and he has also constructed an house after getting appropriate permission from the Authorities. Meanwhile, there was a dispute raised by the fourth respondent herein by way of filing a suit in O.S.No.135 of 2010 on the file of the District Munsif Court, Sivagangai District. The suit was dismissed on 02.06.2014 and an appeal is said to be pending.

2. The petitioner has made an application, dated 13.11.2017, to the second respondent to provide electricity to his house. However, the respondent has rejected it for want of production of house tax receipts. Unless the fourth respondent gets the title declared through the Civil Court, she cannot interfere in the provision of service connection to the petitioner.

3. Be that as it may, as an interim measure, based on the documents that are available, this Court is of the *prime facie* view that the petitioner is the owner of the property. Therefore, there may be an interim direction, directing the first and second respondents to provide temporary electricity connection to the petitioner's house located at No.288/1, Anna Nagar, Maravamangalam Village, Sivagangai District pending disposal of the above writ petition. In view of the above, this Miscellaneous Petition stands closed.

4. Post the writ petition on 10.02.2020. Meanwhile, the respondents are directed to file the counter affidavit during the next date of hearing.

sd/-
06/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE BLOCK DEVELOPMENT OFFICER,
KALAIYARKOVIL TALUK, SIVAGANGAI DISTRICT.

+1. C.C. to M/S.J.JEYAKUMARAN Advocate SR.No.251

ORDER IN
WMP(MD) No.6540 of 2019
IN
WP(MD) No.8343 of 2019
Date :06/01/2020

sts

<https://hccvjce.org.in/Case/1.2020/2P/3C>