

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.27901 of 2015
and
M.P.No.1 of 2015
(Through Video Conferencing)

R.Venu Gopal

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
No.800, Annasalai,
Chennai - 600 002.

2. The Executive Engineer,
Tamil Nadu Electricity Board,
(TANGEDCO Ltd.)
Gingee, Villupuram District.

3. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
(TANGEDCO Ltd.)
Gingee, Villupuram District.

4.Roginiammal

5.Bharathi

6.Sampath

...Respondents

(R4 to R6 impleaded as per order dated 02.08.2017
in W.M.P.No.19889 of 2016 in W.P.No.27901 of 2015)

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's application dated 04.02.2015 and thereby direct the respondents to shift the agriculture electricity Service Connection No.490-006-893, from S.No.393/2D of Thenpalai Village, Gingee Taluk to S.No.231/2A of Thenpalai Village, Gingee Taluk.

For Petitioner : Mr.B.Gopalakrishnan

For 1st to 3rd Respondents : Mr.Varun Kumar

For 4th to 6th Respondents : Mr.A.Sivaji

O R D E R

The petitioner has filed this Writ Petition to issue a Writ of Mandamus directing the respondents to consider the petitioner's application dated 04.02.2015 and to direct the respondents to shift the agriculture electricity Service Connection No.490-006-893, from S.No.393/2D of Thenpalai Village, Gingee Taluk to S.No.231/2A of Thenpalai Village, Gingee Taluk.

2. The petitioner appears to have filed an application dated 04.02.2015 to shift the aforesaid connection used by him in S.No.393/2D of Thenpalai Village, Gingee Taluk. Pursuant to the aforesaid application, the inspection was carried out by the Electricity Department. It was found that the well for which the petitioner wants to transfer his electricity connection is not only located in S.No.231/2A of Thenpalai Village, Gingee Taluk but also in S.No.228/2A of the same village.

3. O.S.No.71 of 2015 has been filed by the 4th to 6th respondents against the petitioner to restrain the petitioner from interfering with their peaceful possession of the property in S.No.228/2A of Thenpalai Village, Gingee Taluk. They were subsequently impleaded in this Writ Petition. The learned counsel for the petitioner and the respondents submitted that the suit is pending as on date.

4. There is a Civil dispute relating to the land in S.No.228/2A of Thenpalai Village, Gingee Taluk in O.S.No.71 of 2015 before the Principal District Munsif Court, Gingee. Therefore, I do not find any merits in this Writ Petition. The suit is pending for more than 5 years before the Principal District Munsif Court, Gingee.

5. The petitioner is therefore directed to approach the said Court for a early disposal of the said suit by taking appropriate steps for expediting the same. On disposal of the said suit, the respondent shall consider the request of the petitioner.

6. Accordingly, this Writ Petition stands dismissed. No cost. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Chairman,
Tamil Nadu Electricity Board,
No.800, Annasalai,
Chennai - 600 002.

2.The Executive Engineer,
Tamil Nadu Electricity Board,
(TANGEDCO Ltd.)
Gingee, Villupuram District.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
(TANGEDCO Ltd.)
Gingee, Villupuram District.

+1 CC to Mr.B.Gopalakrishnan, Advocate sr 1379.

+1 CC to Mr.A.Sivaji, Advocate sr 1340.

W.P.No.27901 of 2015
and M.P.No.1 of 2015

PVS (CO)
SP(05/02/2021)

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