



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.10970 of 2021

WEB COPY

Rengasamy

...Petitioner

Vs.

1.The Superintending Engineer,
Superintending Engineer Office,
Pudukottai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Pudukottai-622 001.

2.The Assistant Engineer (O & M),
Assistant Engineer Office,
Tamil Nadu Electricity Board,
Ramachandrapuram,
Kadiyapatti,
Pudukottai District.

3.Arangan

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of 2nd respondent in KA.No.Umepo/EIA/RCPuram/Ko.Manu/A.3/2021, dated 12.04.2021 and quash the same and consequently direct the second respondent to disconnect the Electricity connection No.183-017-412.

For Petitioner : Mr.V.Selvakumar

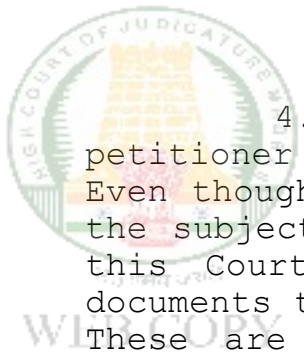
For Respondents : Mr.S.M.S.Jhony Basha
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the second respondent, dated 12.04.2021 and for a consequential direction to the second respondent to disconnect the electricity connection that has been given in favour of the third respondent.

2. The grievance of the petitioner is that the subject property is in possession and enjoyment of the petitioner and he is the absolute owner, whereas, the third respondent, who is the brother of the petitioner has managed to get service connection in the subject property in his name.

3. Heard Mr.V.Selvakumar, learned counsel appearing for the petitioner and Mr.S.M.S.Johny Basha, learned Standing counsel appearing on behalf of the respondents.



4. The nature of dispute that has been projected by the petitioner can only be established before a competent Civil Court. Even though the petitioner is claiming to be the exclusive owner of the subject property, such claim is made only based on a patta and this Court is not able to find any material by means of any documents to show that the petitioner has become the absolute owner. These are matters which involve evidence and this Court cannot undertake such exercise in its writ jurisdiction. Therefore, liberty is granted to the petitioner to work out his remedy before the competent Civil Court.

5. In the result, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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.

To

1.The Superintending Engineer,
Superintending Engineer Office,
Pudukottai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Pudukottai-622 001.

2.The Assistant Engineer (O & M),
Assistant Engineer Office,
Tamil Nadu Electricity Board,
Ramachandrapuram,
Kadiyapatti,
Pudukottai District.

**W.P. (MD) .No.10970 of 2021
02.07.2021**

KK(09.07.2021) 2P 3C