



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.13616 of 2020

WEB COPY

Chandrasekar

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Pudukottai.

2.The Divisional Engineer,
TANGEDCO,
Kattumavadi Salai.
Aranthangi,
Pudukottai District.

3.The Assistant Executive Engineer,
TANGEDCO,
Nakudi, Aranthangi Taluk,
Pudukottai District.

4.The Assistant Electrical Engineer,
Operation and Maintenance,
TANGEDCO, Avudiyarkoil,
Pudukottai District.

5.Senthil Murugan

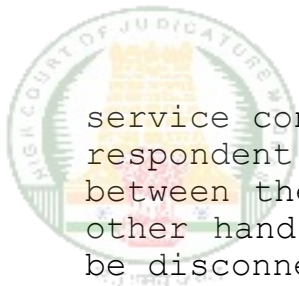
... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to restore the petitioner's electricity service connection in S.C.No.139007328 effected to the petitioner's house in Survey No.41/2A situated at Claravayal village, Manamalkudi Taluk, Pudukottai district by considering the petitioner's representation dated 24.09.2020.

For Petitioner	: Mr.T.Lenin Kumar
For Respondent	: Mr.Johnny Basha
Nos.1 to 4	Standing Counsel
For Respondent	: Mr.S.Ramsundar Vijayaraj
No.5	

O R D E R

Heard the learned Counsel appearing on either side. The writ petitioner had purchased a property from the 5th respondent and had constructed a house thereon. The petitioner had drawn a electricity



service connection from the nearest electric pole standing on the 5th respondent land. This has given rise to make serious disputes between the petitioner on the one hand and the 5th respondent on the other hand. The petitioner's electricity service connection came to be disconnected, which necessitated the filing of the writ petition.

WEB COPY

2. When the matter was taken for hearing on the last occasion, the learned Counsel for the 5th respondent submitted that it is possible to provide electricity connection to the petitioner's house by alternative. The learned Counsel on either side including the Standing counsel state that there is alternate pathway available. But the 5th respondent is insisting that the pole erected on his land has become very damaged and it should be removed. He is ready to bear 50% of the charges as estimated by respondents 1 to 4. So that the existing pole can be removed from the 5th respondent land and a new pole can be erected and electric service connection can be given to the petitioner through alternate pathway.

3. The estimation for erecting new pole and giving service connection to the petitioner's house will be worked out by the 3rd respondent and the petitioner as well as the 5th respondent will not raise any objections to the estimation and will contribute in equal apportionment. There upon the official respondents are directed to grant electricity service connection through alternative pathway to the petitioner's house. Till then, the petitioner is entitled to enjoy the existing connection.

4. The writ petition is allowed on the above terms. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Dsk

To :-

1. The Superintending Engineer,
TANGEDCO,
Pudukottai.

2. The Divisional Engineer,
TANGEDCO,
Kattumavadi Salai.
Aranthangi,
Pudukottai District.



3.The Assistant Executive Engineer,
TANGEDCO,
Nakudi, Aranthangi Taluk,
Pudukottai District.

4.The Assistant Electrical Engineer,
Operation and Maintenance,
TANGEDCO, Avudiyaiyarkoil,
Pudukottai District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-3936[F] dated
09/02/2021)

W.P (MD) No.13616 of 2020
08.02.2021

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VR (CO)
KK (24.02.2021) 3P 6C