



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 20.12.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P. (MD) No.22514 of 2021**

**and**

**W.M.P. (MD) Nos.19040 and 19041 of 2021**

WEB COPY

Eravanayakkar

... Petitioner

vs.

1. The Assistant Executive Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
Kallimandayam, Oddanchathiram Taluk,  
Dindigul District.
  2. The Assistant Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
Kallimandayam, Oddanchathiram Taluk,  
Dindigul District.
  3. The Deputy Superintendent of Police,  
Ottanchathiram Police Station,  
Ottanchathiram, Dindigul District.
  4. The Sub-Inspector of Police,  
Kallimandayam Police Station,  
Ottanchathiram, Dindigul District.
  5. K.Chinnammal
- ... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating with the impugned notice of the second respondent by his proceedings in Ka.No.Vu.Po/Kee/Ka.Ma.Im/La.Aa/Nee.Maa/A.No.110/21 dated 01.12.2021 and quash the same as it is illegal and consequently directing the respondents 1 and 2 to give III phase electricity connection based on the petitioner's application No.200052680621236 dated 24.06.2021 for his agricultural land in S.No.503/2B in Kallimandayam Village, Oddanchathiram Taluk, Dindigul District with the help of the respondents 4 and 5.

|                |   |                                                                    |
|----------------|---|--------------------------------------------------------------------|
| For Petitioner | : | Mr.R.Suriyanarayan                                                 |
| For R1 and R2  | : | Mr.EP.Venkateswaran<br>for Mr.SMS.Johnny Basha<br>Standing Counsel |
| For R3 and R4  | : | Mr.S.Shanmugavel<br>Additional Government Pleader                  |



**O R D E R**

The writ petition has been filed in the nature of Writ of Certiorarified Mandamus, with respect to the order of the second respondent/The Assistant Engineer, Tamil Nadu Generation and Distribution Corporation Limited, Kallimandayam, Oddanchathiram Taluk, Dindigul District, dated 01.12.2021 and to interfere with the same and consequently, to direct the respondents 1 and 2 to give III phase electricity service connection based on an application of the petitioner bearing No.200052680621236, dated 24.06.2021 with respect to the agricultural land of the petitioner in S.No.503/2B in Kallimandayam Village, Oddanchathiram Taluk, Dindigul District.

2.As a matter of fact, seeking a mandamus to give electricity service connection based on the very same application No. 200052680621236, dated 24.06.2021 with respect to the very same land in S.No.503/2B in Kallimandayam Village, Oddanchathiram Taluk, Dindigul District, the petitioner had filed W.P.(MD)No.13212 of 2021 before this Court, which is pending. There were also criminal proceedings between the petitioner and the fifth respondent again with respect to the very same lands and again with respect to the electricity service connection in Crl.O.P.(MD) No.10037 of 2021 and a learned Single Judge of this Court had appointed Mr.K.Manavalan as a mediator to examine and settle the issues between the parties.

3.I am informed by the learned Additional Government Pleader, Mr.S.Shanmugavel, who had taken notice on behalf of the third and fourth respondents that there is yet another suit, which is also pending before the Sub Court at Palani in O.S.No.594 of 2020. It had been stated that the parties had appeared before the fourth respondent and had also given a signed undertaking that the issues would be settled in the suit. Even otherwise the petitioner can always file a writ miscellaneous petition in the earlier writ petition, which is pending. Filing of two writ petitions can never be encouraged. Further, there is no reference at all to the suit in O.S.No.594 of 2020 in the present writ petition. Though the learned counsel for the petitioner claims that the property is not related to the present writ petition, still, the parties had agreed to examine and settle the issues relating to service connection with respect to the very same property/S.No.503/2B in the suit itself, which naturally means that the property is either directly or indirectly, connected with the issues raised in the suit.

4.Giving liberty to the petitioner to file a writ miscellaneous petition, which is the proper course to be done and filing of multiplicity of writ petitions cannot be countenanced by this Court, the present writ petition is dismissed. However,



giving such liberty. In view of the said order passed, notice is not directed to the fourth respondent. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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 Deputy Superintendent of Police,  
Ottanchathiram Police Station,  
Ottanchathiram, Dindigul District.
  2. The Sub-Inspector of Police,  
Kallimandayam Police Station,  
Ottanchathiram, Dindigul District.
  3. The Assistant Executive Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
Kallimandayam, Oddanchathiram Taluk,  
Dindigul District.
  4. The Assistant Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
Kallimandayam, Oddanchathiram Taluk,  
Dindigul District.
- +1 C.C. to Special Government Pleader, S.R.No.39718.

W.P. (MD) No.22514 of 2021  
and

W.M.P. (MD) Nos.19040 and 19041 of 2021

20.12.2021

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