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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2022
CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.2432, 2435, 2438, 2442, 2447,
2452, 2453, 2457, 2458 & 2462 of 2022

1	P.THIRUMURUGAN	... PETITIONER in WP No.2432 of 2022
1	A.THIRUMOORTHY	... PETITIONER in WP No.2435 of 2022
1	MR.K.VENKATACHALAM	... PETITIONER in WP No.2438 of 2022
1	MR.K.MURUGAN	... PETITIONER in WP No.2442 of 2022
1	MR.R.PRABHU	... PETITIONER in WP No.2447 of 2022
1	S.BALAKRISHNAN	... PETITIONER in WP No.2452 of 2022
1	MR.R.AYYAMPERUMAL	... PETITIONER in WP No.2453 of 2022
1	MR.T.KANDHASAMY SENIOR CITI	... PETITIONER in WP No.2457 of 2022
1	MR.S.VIGNESH	... PETITIONER in WP No.2458 of 2022
1	MRS.G.CHINTHAMANI	... PETITIONER in WP No.2462 of 2022

Vs

1. The Assistant Engineer,
O&M/RVE Nagar, TANGEDCO,
Tiruppur Electricity Distribution Circle,
Maniakarampalayam Road, Rakkiapalayam Road,
Tiruppur - 641 606.



2. The Executive Officer,
Arulmighu Vishweswara Swamy Temple,
Nallur, Tiruppur District.

... Respondents

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Prayer:-

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent Electricity Board to effect residential electricity service connection to the petitioners residential house situated at

i)Door No.10,SF No.133, Site No.15, Kanchi Nagar 1st Street, Maniyakaarampalayam Road, Nallur, Tiruppur District, under Tariff IA based on his application dated 09.12.2021 within a time fixed by this Court.

ii)Door No.9, SF No.133, Site No. 9, 10, 11, 12, Nallur Village, Kanchi Nagar, Tiruppur District 641 606 under Tariff IA based on his application dated 21.12.2021

iii)Door No.4/17, SF.No. 155, Site No.15,Boyar Colony 5th Street, Jai Nagar, Rakkiyapalayam, Nallur, Tiruppur District. under Tariff IA based on his application dated 08.12.2021

iv)SF.No. 155, Site No.7, Door No.348, Boyar Colony 5th Street, Jai Nagar,Nallur, Tiruppur District, under Tariff IA based on his application dated 08.12.2021

v)Door No.346, SF.No. 155, Site No.6, Boyar Colony 5th Street, Jai Nagar, Maniyakaranpalayam Road, Nallur, Tiruppur District. under Tariff IA based on his application dated 08.12.2021

vi)Door No.59, SF.No. 133, Site No.3 Nallur Village, Kanchi Nagar Main Road, Tiruppur District under Tariff IA based on his application dated 21.12.2021

vii)No.27, SF No.133, Site No.27 and 28 part, Kanchi Nagar 3rd Street, Maniyakarampalayam Road, Nallur, Tiruppur District under Tariff IA based on his application dated 09.12.2021

Viii)Door No.21/2, SF.No. 155, Site No.5, Boyar Colony 5th Street, Jainagar, Rakkiyapalayam, Nallur, Tiruppur District, under Tariff IA based on his application dated 09.12.2021

ix)Door No.346/5, SF.No. 155, Site No.6 part, Boyer Colony 5th Street, Jai Nagar, Rakkiyapalayam, Nallur, Tiruppur District under Tariff IA based on his application dated 08.12.2021



x) Door No.42, SF.No. 133, Site No.13, Kanchi Nagar 1st Street, Maniyakarampalayam Road, Nallur, Tiruppur District under Tariff IA based on his application dated 09.12.2021 respectively within a time frame fixed by this Honourable Court in W.P.Nos.2432, 2435, 2438, 2442, 2447, 2452, 2453, 2457, 2458 & 2462 of 2022

(In all WPs)

For Petitioner : Mr.R.Ramachandran

For Respondents : Mr.Abul Kalam (for R1)
Mr.P.Chandrasekar (for R2)

COMMON ORDER

Mr.Abul Kalam, learned counsel accepts notice for R1 and Mr.P.Chandrasekar, learned counsel accepts notice for R2 Executive Officer of the Arulmighu Vishweswara Swamy Temple,, Tiruppur District ('temple').

2.These petitioners seek writs of mandamus directing R1 to effect residential electricity service connections to the petitioner's residential houses at various addresses all in Nallur, Tiruppur District under Tariff-1A based on their applications on various dates.

3.Learned counsel appearing for R1 would submit that the connections have not been given thus far based on the objections that have been expressed by R2.

4.This very issue has in fact engaged the attention of Courts on earlier instances and with the reference to the same respondents as in these writ petitions, in WP.Nos.36201 to 36203 and 32491 to 32496 of 2016, 28415 of 2017, 21551 of 2018 and 23540 of 2021. A slew of petitioners had approached this Court seeking identical relief in regard to the properties in respect of which there was a dispute in title, qua themselves and the temple.

5.The first of such orders was passed as early as on 14.03.2017 accepting the contention of that petitioner that determination of title was one thing and provision of service



connection is an entirely different matter. Mere provision of service connection would not clinch the issue of title one way or the other.

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6.A direction has thus been consistently issued to the respondent electricity board to effect service connection on the basis of the pending applications of the petitioners, though in the name of the temple, within a stipulated time. The orders have been passed without prejudice to the contentions of both parties making it clear that the unsuccessful party cannot claim any equity.

7.Thus, in the interests of uniformity, R1 is directed to provide service connections to all petitioners on the basis of the applications filed by them, though in the name of R2 temple, within a period of eight (8) weeks from today. These writ petitions are allowed. No costs.

Sd/-

Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

vs

To

1. The Assistant Engineer,
O&M/RVE Nagar, TANGEDCO,
Tiruppur Electricity Distribution Circle,
Maniakarampalayam Road, Rakkiapalayam Road,
Tiruppur - 641 606.
2. The Executive Officer,
Arulmighu Vishweswara Swamy Temple,
Nallur, Tiruppur District.

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.9479

W.P.Nos.2432, 2435, 2438, 2442, 2447,
2452, 2453, 2457, 2458 & 2462 of 2022

NRL[co]
NSK 24/03/2022