



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.4026 of 2022

Mr.V.Balakrishnan

... Petitioner

Vs

- 1.The Chairman,
TANGEDCO,
Annasalai, Chennai - 600 002.
- 2.The Executive Engineer,
O & M (Organization and Maintenance),
TANGEDCO,
Ulundurpettai Taluk, Kallakuruchi District.
- 3.The Junior Engineer,
O & M (Organization and Maintenance),
TANGEDCO,
Senthanadhu, Ulundurpettai Taluk,
Kallakuruchi District.

- 4.Mr.Periyasamy
- 5.Mr.Veerappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents not to give electricity connection to the 4th and 5th respondents dry land comprised in Survey No.380/4A and Survey No.380/4E, Mayilankuppam, Ulundurpettai Taluk, Kallakuruchi District.

For Petitioner : Mr.G.Ranganathan

For Respondents: Ms.Keerthana Shenoi (for R1 to R3)
for Mr.L.Jai Venkatesh
Standing Counsel

O R D E R

Ms.Keerthana Shenoi, learned counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for respondents 1 to 3 and has received instructions to enable this Court to dispose this writ petition finally even at the stage of



admission. Hence, by consent expressed by both parties and on the basis of the memo filed by the learned counsel for respondents 1 to 3, this writ petition is taken up for final disposal. In view of the order proposed to be passed, no notice is issued to the private respondents at their juncture.

2.Memo dated 28.02.2022 reads as follows:

'MEMO FILED ON BEHALF OF RESPONDENTS 1 TO 3

1.It is humbly submitted that the application seeking for agricultural service connection from the respondents 4 and 5 for their borewell and it was registered on 22.02.2013 after conducting a field inspection.

2.It is humbly submitted that as per the 1 lakh agricultural scheme, a direction was received to release the applications registered in the period before 31.03.2013 and when the application was being considered, a notice was sent by the Executive Engineer on 07.01.2022 to the respondents 4 and 5 to produce valid documents for releasing agricultural service connection and the revenue documents were produced by the respondents on 03.02.2022.

3.It is humbly submitted that an objection was received from the writ petitioner vide letter dated 25.01.2022, received on 29.01.2022 stating that a civil suit is pending between the writ petitioner and private respondents in OS.No.186 of 2019. Since an objection was received, the application is kept pending.

4.It is humbly submitted that the writ petitioner approached the electricity board again on 19.02.2022 and the writ petitioner was requested to provide the status of the suit and a copy of the plaint filed in the Court, which was later not provided by the writ petitioner. Thereafter, the writ petitioner filed the present writ petition on 21.02.2022.

5.It is humbly submitted that till date no service connection was provided to respondents 4 and 5, and the application is kept pending due to the objection received from the writ petitioner stating that a civil suit is pending.

Therefore it humbly prayed that this Hon'ble Court may be pleased to pass such orders as deems fit and thus render justice.'

3.The aforesaid memo reveals the position that litigation qua the petitioner and private respondents i.e. R4 and R5 is



pending before the Civil Court. The authorities are, in light of the same, required to consider the application of the private respondents, and objection of the petitioner and decide the matter in light of applicable Regulations and in accordance with law. Let this exercise be conducted and completed within a period of eight (8) weeks from today. The writ petition is closed. No costs. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

vs

To

1.The Chairman,
TANGEDCO,
Annasalai,
Chennai - 600 002.

2.The Executive Engineer,
O & M (Organization and Maintenance),
TANGEDCO,
Ulundurpettai Taluk,
Kallakuruchi District.

3.The Junior Engineer,
O & M (Organization and Maintenance),
TANGEDCO,
Senthanadhu
Ulundurpettai Taluk,
Kallakuruchi District.

+1cc to Mr.L.Jai Venkatesh, Advocate SR.No.13641

+1cc to Mr.G.Ranganathan, Advocate SR.No.13564

W.P.No.4026 of 2022

VBM(CO)
GMY(17/03/2022)