



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10822 of 2019

And

W.M.P.No.11280 of 2019

P.Ganesan

... Petitioner

Vs.

1. The Assistant Engineer
Electrical and Distribution,
Ramapuram Division,
Tamil Nadu Electricity Board,
Kalasathamman Koil Street,
Ramapuram,
Chennai 600 089.

2. S.Mahendran

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent not to provide New Electricity Service connection to the second respondent for the property situated in Door No.1/75 bearing old Survey No.210 part, new survey Number 270/9 admeasuring 1440 sq.ft., in Gangai Amman Koil Street, Ramapuram, Chennai 600 089 till the disposal of the Civil Suit in O.S.No.16 of 2018 pending on the file of the Principal District Sessions Judge, Poonamallee, based on petitioner's representation dated 21.02.2019.

For Petitioner : Mr.M.Vijay Anand

For Respondents : Mr.L.Jai Venkatesh for R1
Mr.G.Prakash for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent not to provide New Electricity Service connection to the second



respondent for the property situated in Door No.1/75 bearing old Survey No.210 part, new survey No.270/9 admeasuring 1440 sq.ft., in Gangai Amman Koil Street, Ramapuram, Chennai 600 089 till the disposal of the Civil Suit in O.S.No.16 of 2018 pending on the file of the learned Principal District Sessions Judge, Poonamallee, based on petitioner's representation dated 21.02.2019.

2.The grievance of the petitioner is that when the civil dispute is pending the first respondent is trying to provide electricity service connection to the second respondent. When a civil suit is already pending in between the petitioner and the second respondent, the petitioner instead of approaching the competent civil Court, approaching this Court by filing writ petition is not sustainable one. Hence, the relief sought for by the petitioner in this writ petition cannot be granted.

3.The writ petition is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Engineer
Electrical and Distribution,
Ramapuram Division,
Tamil Nadu Electricity Board,
Kalasathamman Koil Street,
Ramapuram,
Chennai 600 089.

+1cc to Mr.M.Vijay Anand, Advocate, S.R.No.5878

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.6228

+1cc to Mr.G.Prakash, Advocate, S.R.No.6395

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KG (CO)
SU(07/03/2022)