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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-01-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.44330 of 2016

And

WMP Nos.38193 and 38194 of 2016

Kalaivani

.. Petitioner

vs.

1. The Executive Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.

2. The Superintending Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.

3. The Assistant Executive Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.

4. The Assistant Engineer (Operation and Maintenance),  
Tamil Nadu Generation and Distribution Corporation,  
Vaiyappamalai - West.

5. A.Govindaraju

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent vide letter KA.N.U.PO/E&PA/VAI.MAY/KA.THANI/No.182/14-15 dated 15.12.2014 and quash the same and further direct the fourth respondent to consider the petitioner application dated 20.11.2014.

For Petitioner

: Mr.S.Sithirai Anandam



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For Respondents-1 to 4: Mr.L.Jai Venkatesh,  
Standing Counsel for TANGEDCO.  
For Respondent-5 : Mr.N.Manokaran

## O R D E R

The order impugned dated 15.12.2014 passed by the fourth respondent-Assistant Engineer (Operation and Maintenance) rejecting application submitted by the petitioner for providing Electricity Service Connection, is under challenge in the present writ petition.

2. The petitioner submitted an application for providing Electricity Service Connection and the fifth respondent Mr.A.Govindaraju raised an objection for providing Electricity Service Connection to the petitioner.

3. In view of the objection, the TANGEDCO Authorities have not considered the application submitted by the petitioner. Though the petitioner raises personal vengeance and motive for not providing Electricity Service Connection, this Court has considered another WP No.27626 of 2013 filed by the very same petitioner Smt.Kalaivani questioning the order dated 03.09.2013 passed by the District Collector.

4. The order of the District Collector reveals that the subject property is classified as 'Vandi Padhai'. Thus, the said writ petition viz., WP No.27626 of 2013 was dismissed on 18.11.2021 with the liberty to the petitioner to approach the Competent Civil Court of Law for the purpose of establishing her civil rights.

5. In view of the fact that already liberty has been granted to the petitioner to approach the Competent Civil Court of Law for the purpose of establishing her ownership, title or rights whatsoever, the present writ petition cannot be considered and if at all the relief for Electricity Service Connection is to be granted. For the said purpose also, the petitioner is at liberty to move the appropriate application in the event of instituting any suit before the Competent Civil Court of Law for appropriate relief.



6. With the abovesaid liberty, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-  
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Executive Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.
2. The Superintending Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.
3. The Assistant Executive Engineer,  
Tamil Nadu Generation and Distribution  
Corporation,  
Tiruchengode.
4. The Assistant Engineer (Operation and Maintenance),  
Tamil Nadu Generation and Distribution Corporation,  
Vaiyappamalai - West.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.353

WP 44330 of 2016

AK-II (CO)  
SU (24/01/2022)