

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.30592 of 2017

and

W.M.P.No. 33500 of 2017

Palanisamy,
S/o. Mara Naicker

... Petitioner

Vs.

1. The Assistant Engineer,
TANGEDCO,
Vavipalayam,
Nerupperichal Post,
Tiruppur.

2. The Additional Executive Engineer,
Aattupalayam,
Anupparpalayam Post,
Tiruppur.

3. Rajan,
S/o. Senniyappan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, forbearing the respondents

1 and 2 herein from in any way drawing the electricity line from the electric poll situate in S.F.No.471/3, Thottiyamannarai Village, Tiruppur Taluk and District, for effecting electricity connection to the 3rd respondent from the electric poll situate in the petitioner's lands.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for R1 and R2

Mr.M.Easan for
M/s. Va Vu Si Vazhakagam for R3

ORDER

This Writ Petition has been filed seeking a direction forbearing the respondents 1 and 2 from drawing electricity service connection from the poll situated in S.F.No.471/3, Thottiyamannarai Village, Tiruppur Taluk and District.

2. The grievance of the petitioner is that, the 3rd respondent is having residential house site opposite to the petitioner's land and already he is drawing electricity service connection from the poll situated in MGR Colony, Mannarai Panchayat Road. Now, the 3rd respondent wants to draw

electricity service connection from the poll erected in front of petitioner's land, which will cause great inconvenience to the petitioner. Hence, the present Writ Petition has been filed.

3. Earlier, notice ordered to the respondents. Today, the 1st respondent Assistant Engineer is present before this Court and filed a rough sketch showing service connection. From the sketch filed by the 1st respondent, it could be seen that, the 3rd respondent is taking electricity service connection from the overhead line running from the poll erected in a common pathway and now, he wants to take service connection from the poll erected in between the petitioner and 3rd respondent land. It is also stated that the petitioner is taking service connection from the above said poll. From the sketch, it could be seen that by taking service connection from the existing disputed poll, the petitioner is no way going to be affected as the overhead line is only running in a common pathway, in which, the petitioner is also taking service connection. In the said circumstances, this Court finds no merit in the Writ Petition and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. The 2nd respondent is directed to give service connection to the 3rd respondent from the poll erected in front of petitioner's land and the petitioner is directed not to obstruct it. It is also

made clear that, if any obstruction is made by the petitioner while the officials giving service connection to the 3rd respondent's house, it is open to them to get a police assistance. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

04.04.2022

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To

1. The Assistant Engineer,
TANGEDCO,
Vavipalayam,
Nerupperichal Post,
Tiruppur.
2. The Additional Executive Engineer,
Aattupalayam,
Anupparpalayam Post,
Tiruppur.

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V.BHARATHIDASAN, J.

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