



WEB COPY

W.P.No.34398 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM

THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition No.34398 of 2022

and

W.M.P.No.33860 of 2022

C.Mathiyazhagi

... Petitioner

Versus

1.The Executive Engineer (O&M),
Tamil Nadu Generation and
Distribution Corporation [TANGEDCO],
Venkattappa Chetti Road,
Salem.

2.The Assistant Executive Engineer (O&M),
Tamil Nadu Generation and
Distribution Corporation[TANGEDCO],
Thillai Nagar,
Salem.

3.Chinnadurai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 2nd respondent in his proceedings in K.No.A.E.E/O&M/T.Nagar/K.thani/No.053/2022 dated 05.07.2022 and quash the same and consequently direct the 2nd respondent to provide electricity connection to the petitioner's property



situated at R.S.No.4/21, Vaalkadu Street, Vaikkalpattarai, Salem, based on petitioner's application No.2000441109211127 dated 22.09.2021.

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For Petitioner : Mr.J.Jayan

For R1 & R2 : Mr.I.Syed Sibghatulla (TNEB)

ORDER

The petitioner herein has filed this present petition in the nature of Certiorarified Mandamus, seeking interference with the order passed by the 2nd respondent/Assistant Executive Engineer [O&M], TANGEDCO at Thillai Nagar in Salem, dated 05.07.2022, and to direct the said respondent to provide electricity connection to the premises where the petitioner is now residing namely, No.6/216, Vaalkadu Street, Vaikkalpattarai, Allikuttai Post, Salem 636 003.

2. The 3rd respondent, Chinnadurai is the husband of the petitioner herein. They had gone beyond the marital pledge, which they had taken at the time of marriage, and had taken an affinity to approach before the Courts of law, with one filing a Suit against the other and for good measure, the other also filing a Counter Suit. They are engaged in an endless civil litigation.



3. The petitioner cannot live in darkness. She requires electricity connection at least to light a lamp in the house.

4. The 2nd respondent had denied providing electricity connection on the ground that the Civil Suits are pending.

5. Even without issuing notice to the 3rd respondent, let the 2nd respondent once again take up the application filed by the petitioner seeking electricity connection and obtain documents that she is actually residing in the premises and get an undertaking that merely because, electricity connection is given, she would not claim a larger title over any disputed property or of the property for which, she seeks electricity connection.

6. The 2nd respondent may also inform this to the 3rd respondent. It is stated that the 3rd respondent is not residing in the house. Therefore, he cannot have any valid objection for the house where the petitioner resides being given electricity connection. The 2nd respondent is directed to do the needful within a period of four weeks from this date.



7. Accordingly, this Writ Petition stands allowed. No order as to costs. Consequently, the connected miscellaneous petition stands closed.

23.12.2022

ssi

Index : Yes/No

Internet : Yes/No

To:

- 1.The Executive Engineer (O&M),
Tamil Nadu Generation and
Distribution Corporation [TANGEDCO],
Venkattappa Chetti Road,
Salem.
- 2.The Assistant Executive Engineer (O&M),
Tamil Nadu Generation and
Distribution Corporation[TANGEDCO],
Thillai Nagar,
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C. V. KARTHIKEYAN,J.

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