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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.28318 of 2017

P.Suguna,
W/o. Periyathambi ... Petitioner

Vs.

1. The Superintending Engineer,
   TANGEDCO,
   Udaiyapatti, Salem Dt.

2. The Divisional Executive Engineer
   (West), TANGEDCO,
   Annadanapatti, Salem.

3. The Assistant Engineer,
   Tamil Nadu Electricity Board,
   Alagapuram, Sarada College Road,
   Salem Dt.

4. Kandayee,
   W/o. Perumal

5. Venkatachalam,
   S/o. Perumal

6. Shanmugam,
   S/o. Senrayan ... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take suitable and immediate action by preventing or disconnecting the illegal electricity (power) connection given to the Garudalvar Temple situated in the lake poramboke land in Vedaliyur Village on the southern side of the petitioner's property and also to remove the electricity cable taken through the petitioner's property in S.No.38/1, 7, 38/5B, 4A in Reddiyur Village, Salem Taluk, Salem District forthwith.

For Petitioner : Mr.P.Jagadeesan

For Respondent : Mr.Abul Kalam,
Standing Counsel for R1 to R3

O R D E R

This Writ Petition has been filed seeking a direction directing the respondents 1 to 3 to remove the electricity cable taken through the petitioner's property in Survey No.38/5B4A in Reddiyur Village, Salem Taluk.

2. Even though notice served on the respondents 4 to 6 and names of respondents 4 to 6 were also printed in the cause list, none appeared on behalf of respondents 4 to 6.

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3. The grievance of the petitioner is that, he is having residential house in the above said survey number and obtained electricity service connection. Now, the respondents 4 to 6 have constructed the temple in a cart track poramboke land and illegally drawing electricity supply line from another service connection through the petitioner's land. Despite the objection given by the petitioner, no action has been taken by the respondents 1 to 3. Hence, the present Writ Petition.

4. Mr. P.Jagadeesan, learned counsel appearing for petitioner would submit that, the respondents 4 to 6 have constructed a temple in a cart track poramboke land without getting valid permission and without getting proper electricity service connection to the temple. Now, they are illegally drawing electricity connection line from the 4th respondent's property through the petitioner's land.

5. Considering his submissions, earlier, this Court directed the 2nd respondent to inspect the site and file a report. In pursuant to the same, today, when the matter was taken up for hearing, Mr.R.Rajavelu, Executive Engineer, Operation and Maintenance, West, TANGEDCO, Salem, is present before this Court along with the report stating that, no service

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connection was given to the temple and they have tried to extend the electricity service connection from the nearby service, but they did not take any electric supply to the temple from the nearby services. It is also stated that there is no electrical cable taken from the nearby domestic service to the temple. He has also stated that, if any attempt is made to draw electrical line illegally, suitable action will be taken as per the rules.

6. Considering the above submissions, as of now, there is no illegal drawing of electricity from another service connection through the petitioner's land, the relief sought by the petitioner in this Writ Petition need not be considered at this stage. Hence, this Writ Petition is liable to be closed. Accordingly, this Writ Petition stands closed. No costs.

24.02.2022

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To
1. The Superintending Engineer,
   TANGEDCO, Udaiyapatti, Salem Dt.

2. The Divisional Executive Engineer
   (West), TANGEDCO, Annadanapatti, Salem.

3. The Assistant Engineer,
   Tamil Nadu Electricity Board,
   Alagapuram, Sarada College Road, Salem Dt.

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V.BHARATHIDASAN, J.

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