



*W.P(MD)No.14880 of 2013*

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2022

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.14880 of 2013**

**and**

**M.P(MD)No.1 of 2013**

K.Palanichamy

... Petitioner

Vs.

- 1.The Superintending Engineer,  
Tamil Nadu Generation and  
Distribution Corporation Limited,  
Kovai Road,  
Karur.
- 2.The Executive Engineer,  
(Operation and Maintenance),  
Tamil Nadu Generation and  
Distribution Corporation Limited,  
Kovai Road,  
Karur.
- 3.The Assistant Executive Engineer,  
(Operation and Maintenance),  
Tamil Nadu Generation and  
Distribution Corporation Limited,  
Velliyanai and Post,  
Karur Taluk & District.



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4.Murugesan

... Respondents

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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3, not to disconnect the electricity connection in SC No. 9 in SF No.1515/7, situated at Kattari Goundanur, Velliyanai South Village, Velliyanai post, Karur Post & Taluk, Karur District and consequently direct the respondents 1 to 3 to follow the procedure contemplated under Tamilnadu Electricity Act on the basis of the representation of the petitioner, dated 30.08.2013 and pass such further or other orders as this Court.

For Petitioner : M/s.E.K.Kumaresan  
for Mr.K.Suresh

For R-1 to R-3 : M/s.S.Deenadhayalan  
Standing Counsel

For R-4 : Mr.M.Karthikeya Venkatachalapathy

### **ORDER**

The present Writ Petition has been filed seeking a Writ of Mandamus, not to disconnect the electricity service connection in S.C.No.9 in S.F.No.1515/7.



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2. According to the writ petitioner, the fourth respondent without any right or title is attempting to disturb his possession and attempting to disconnect the electricity service connection. Hence, the present writ petition.

3. The learned Counsel appearing for the private respondent, brought to the notice of the Court that the writ petitioners have filed O.S.No.284 of 2013 on the file of the District Munsif Court, Karur, claiming their right to use the same service connection during their turn days. The said prayer was rejected by the trial Court along with other prayers. The petitioner herein had filed A.S.No.14 of 2015 before the Additional Subordinate Court, Karur. The learned Subordinate Judge was pleased to dismiss the appeal. The appeal was dismissed for default on 20.01.2020. Hence, as on today, the prayer of the writ petitioner that he is having right over electricity service connection No.9 has been rejected by the civil Court. Hence, no orders could be granted to the writ petitioner, directing the Electricity Board, not to disconnect the electricity service connection.



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4. A perusal of the judgement and decree of the trial Court would reveal that the petitioner has no right to draw water using electricity service connection No.9. Hence, in view of the above said facts, the writ petition stands dismissed. However, if the judgment and decree of the trial Court are reversed by the appellate Court, the petitioner is at liberty to approach the Electricity Board again for restoration for electricity service connection.

5. With the above said observations, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

**20.09.2022**

Index : Yes / No  
Internet : Yes / No  
btr



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**R.VIJAYAKUMAR, J.**

btr

Order made in  
**W.P(MD)No.14880 of 2013**

**20.09.2022**