



W.P(MD)No.20525 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20525 of 2013

and

M.P(MD)No.1 of 2013

M.Samivel

... Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
Virudhunagar District.

2.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation,
Virudhunagar District.

3.The Junior Engineer,
Tamil Nadu Generation and Distribution Corporation,
Koomapatti,
Virudhunagar District.

4.The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation,
Vadrap,
Virudhunagar District.

5.Ramanathan

... 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, forbearing the respondents from giving electricity connection to survey No.993/1, 993/2 and 993/3, situating at Kansapuram Village, Rajapalayam Taluk, in Virudhunagar District in fifth respondent's name till the civil proceedings were over in the civil courts of law in respect of the lands in above survey numbers.

For Petitioner : M/s.R.Alagumani
For R-1 to R-4 : M/s.S.Deenadhayalan
Standing Counsel
For R-5 : No appearance

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, forbearing the Electricity Board from providing electricity service connection to certain agricultural properties in the name of the fifth respondent herein.

2. According to the learned Counsel for the petitioner, the survey numbers in dispute belong to the petitioner and hence, the fifth respondent is not entitled to get any service connection in his name. However, the learned Standing Counsel appearing for the Electricity Board submits that the fifth respondent has registered himself in the year



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2013, for getting free agricultural service connection. So far, he has not reached the seniority so as to give electricity service connection. The learned Counsel for the petitioner has further submitted that they have filed a civil suit in O.S.No.384 of 2013 on the file of the Principal District Munsif Court, Srivilliputhur. In view of the pendency of the said civil dispute, service connection should not be provided to the fifth respondent.

3. In view of the above said facts, so far the fifth respondent has not reached the seniority to get free agricultural service connection. That apart, any service connection provided to the fifth respondent herein, shall be subject to the result of O.S.No.384 of 2013, pending on the file of the Principal District Munsif Court, Srivilliputhur.

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

27.10.2022



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Index : Yes / No
Internet : Yes / No
btr

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R.VIJAYAKUMAR, J.

btr

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