



W.P(MD)No.9894 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9894 of 2013

and

M.P(MD)No.1 of 2014

M.C.Errammal(Died)

2.M.Chinnasamy(Died)

3.M.C.Subramanian

4.M.C.Chandran

... Petitioners

(P2 is impleaded vide Court order, dated 15.02.2016
M.P(MD)No.1 of 2015)

(P3 & P4 are substituted vide Court order, dated
08.11.2022 in W.M.P(MD)No.19440 of 2022)

Vs.

1.The Divisional Engineer,
Tamil Nadu Electricity Board,
Dindigul District.

2.The Assistant Executive Engineer (North),
Tamil Nadu Electricity Board,
Dindigul District.



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3.The Assistant Engineer,
NGO Colony,
Tamil Nadu Electricity Board,
Dindigul District.

4.G.Munusamy

5.G.Thangaraj

6.G.Shanmugam

... Respondents

(R4 to R6 are impleaded vide Court order, dated
03.07.2013 in M.P(MD)No.1 of 2013)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to letter by the 3rd respondent in his proceedings க.எண்.செபொ/வ/திகல்/தொநுஉ/கோ.கட்டு/அ.எண் 12/11 dated 15.11.2011 and quash the same and consequently directing the respondents to execute the electric line work and provide electricity connection to petitioner house situated at Survey No.4/2B & 4/3B.

For Petitioners : Mr.V.Muthumani Sivakumar

For R1 – R3 : Mr.S.Deenadhayalan
Standing Counsel

For R4 – R6 : No Appearance

ORDER

The present writ petition has been filed challenging an order passed by the 2nd respondent herein, under which the request of the



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petitioner for grant of service connection was rejected on the ground that 20 years have lapsed from the date of application.

2. According to the learned counsel for the petitioners, the deceased 1st petitioner had applied for domestic electricity service connection and the said service connection has to be effected through a pathway, which was objected to by the private respondents, namely respondents 4 to 6.

3. The said private respondents had filed O.S.No.81 of 2013 before Principal Sub Court, Dindigul for the relief of permanent injunction, not to put up any electrical poles in the suit schedule property. The said suit was dismissed on 06.09.2019. According to the learned counsel for the petitioners, the said judgment and decree has attained finality.

4. The learned counsel for the petitioners further submits that they have given a fresh application on 02.11.2022 for new service connection.



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5. Though the respondents 4 to 6 have entered appearance, there is no representation on their side.

6. The learned standing counsel for the Electricity Board undertakes that they will consider the fresh application in the light of the Civil Court decree. The Electricity Board is directed to give service connection to the writ petitioners, if they have satisfied all the statutory formalities, within a period of twelve (12) weeks from the date of receipt of a copy of this order. In case if there is any objection on the side of the respondents 4 to 6 for providing service connection, the petitioner is at liberty to seek police protection.

7. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

16.11.2022

Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.9894 of 2013

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