



W.P.(MD)No.2509 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2509 of 2021

Bose

... Petitioner

Vs

1.The Assistant Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation, (TANGEDCO),
Maravamangalam,
Sivagangai District.

2.Valli

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to shift the electricity service connection No.104/15 to the petitioner's agricultural lands comprised in Survey No.134/2A, 134/2B situated at No.37-Pulavan Group, Kallivayal Village, Sivagangai District.

For Petitioner : Mr.L.Chandrasekaran

For Respondents : Mr.S.Deenadhayan
Standing Counsel for R.1



W.P.(MD)No.2509 of 2021

ORDER

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Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for TANGEDCO.

2. Even though notice has been served to the second respondent and her name is printed in the cause list, she has not chosen to enter appearance.

3. The petitioner is an agriculturist. He is enjoying the petition mentioned electricity service connection for his lands comprised in Survey No. 132. He wants it to be shifted to the lands comprised in Survey No.134/4. The petitioner had already given an application and he is also ready to bear the necessary charges. It appears that the first respondent has no objection. But on account of the obstruction caused by the second respondent, shifting could not be carried out. It appears that the second respondent had already filed a civil suit in this regard. She has not so far obtained any interim order of injunction. If any injunction order had been obtained by the second respondent as against the writ petitioner for the proposed shifting, then obviously the first respondent cannot accept the petitioner's request. It is stated that the patta in respect of the lands, to which, the shifting is sought is in the name of the writ petitioner. So long as there is no interim order obtained by the second respondent in her



W.P.(MD)No.2509 of 2021

favour, the first respondent can very well concede the petitioner's request.

Since the second respondent has not appeared before this Court to oppose the writ petitioner's prayer, I direct the first respondent to shift the petition mentioned service connection to the petitioner's land comprised in Survey No. 134/4. The first respondent shall carry out this entire exercise within a period of six weeks from the date of receipt of a copy of this order.

4. This writ petition is allowed. No costs.

01.08.2022

Index : Yes / No
Internet : Yes/ No
mga

To

The Assistant Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation, (TANGEDCO),
Maravamangalam,
Sivagangai District.



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W.P.(MD)No.2509 of 2021

G.R.SWAMINATHAN, J.

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W.P.(MD)No.2509 of 2021

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