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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.03.2022
CORAM:
THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**
W.P.(MD)No.3850 of 2022
and W.M.P.(MD).No.3333 of 2022

Perumal .. Petitioner

Vs

1.The Assistant Engineer (South),
TANGEDCO (TNEB),
Sinthamanipatti (post),
Tharagampatti (Via),
Kadavur Taluk, Karur District.

2.The Assistant Engineer,
TANGEDCO (TNEB),
Palaviduthi (post),
Tharagampatti (Via),
Kadavur Taluk, Karur District.

3.Pasupathi .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 1 and 2 from giving an Electricity Connection to the 3rd respondent at the petitioner property of bearing Survey No.445, Byemass No.2733, situated at Mavathur, Kadavur Taluk, Karur District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.S.Deenadayalan
Standing Counsel

ORDER

This writ petition has been filed to forbear the respondents 1 and 2 from giving electricity service connection to the third respondent at the petitioner's property bearing Survey No.445, Byemass No.2733, situated at Mavathur, Kadavur Taluk, Karur District.

2.It is the case of the petitioner that he is the owner of the aforementioned property. According to him, there are pending disputes over the aforementioned property. He would submit that the third respondent is attempting to get an electricity service connection in his name for the aforementioned property, which according to him is illegal. He has given a representation, on 04.02.2022, to the respondents 1 and 2 to forbear them from granting electricity service connection to the third respondent for the

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aforementioned property. Under those circumstances, he has filed this writ petition.

3.Heard Mr.R.Murugappan, learned counsel for the petitioner and Mr.S.Deenadayalan, learned Standing Counsel, who accepts notice on behalf of the respondents 1 and 2.

4.On instructions, the learned Standing Counsel would submit that S.No.445 was sub divided and S.No.445/1 belongs to the third respondent and only for the said property, the second respondent has already granted electricity service connection, based on the revenue records produced by the third respondent. On instructions he would also submit that the third respondent has applied for free electricity service connection on 04.03.2011 itself. The said statement is recorded.

5.The learned counsel for the petitioner has received the copy of the proceedings, dated 01.03.2022, under which the third respondent has been granted electricity service connection for the property comprised in S.No.445/1. He seeks liberty of this Court to the petitioner to challenge the said proceedings in the manner known to the petitioner under law. The said statement is recorded.

6.Accordingly, this writ petition is disposed of by granting liberty to the petitioner to challenge the proceedings of the second respondent, under which the third respondent has been granted electricity service connection for the property bearing S.No.445/1 in the manner known to him under law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(A/Cs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

Note:*In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.*

+1 CC to M/s.S.DEENADHAYALAN, Advocate SR-9810[F] dated 03/03/2022

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