



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7621 of 2022

A.P.Chinnathambi @ Chidambarabharathi

... Petitioner

vs.

- 1.The Chairman cum Managing Director,
TANGEDCO, No.144, Anna Salai,
NPKRR Maligai, Chennai- 600 002.
- 2.The Superintending Engineer,
TANGEDCO, Near Old Bus Stand,
Pudukottai.
- 3.The Executive Engineer,
TANGEDCO, Pachikkottai and Post,
Alangudi Taluk, Pudukottai District.
- 4.The Assistant Engineer,
TANGEDCO, Alangudi West,
Alangudi West, Alangudi Taluk,
Pudukottai District.

5.A.Ramalingam

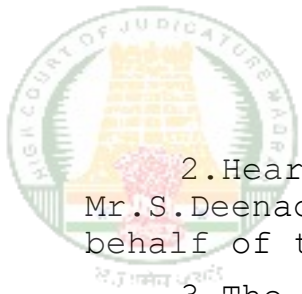
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 4 not to provide electricity connection in the name of the fifth respondent for the lands of the petitioner in New S.No.292/3, Keelaiyur Village, Alangudi Taluk, Pudukkottai District, and further to direct the respondents 1 to 4 to relocate the electric poles erected in the property of the petitioner in New S.Nos.292/2 and 292/3 to some other alternative place.

For Petitioner :Mr.G.Sridharan
For R1 to 4 :Mr.S.Deenadhayalan

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 not to provide electricity connection in the name of the fifth respondent for the lands of the petitioner in New S.No.292/3, Keelaiyur Village, Alangudi Taluk, Pudukkottai District, and further to direct the respondents 1 to 4 to relocate the electric poles erected in the property of the petitioner in New S.Nos.292/2 and 292/3 to some other alternative place.



2.Heard Mr.G.Sridharan, learned Counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents 1 to 4.

3.The learned Standing Counsel appearing for the official respondents, on instructions, would submit that the officials have decided to re-locate the poles, which are now presently erected in the petitioner's property to some other place. The said statement is recorded. The learned Counsel for the petitioner is satisfied with the statement made by the learned Standing Counsel for the official respondents.

4.Insofar as the first limb of the prayer sought for in this Writ Petition, namely to forbear the respondents 1 to 4 to provide electricity service connection in the name of the fifth respondent, is concerned, the learned Counsel for the petitioner would submit that the petitioner will be satisfied, if an observation is made by this Court that the electricity service connection granted to the fifth respondent by the official respondents is subject to the result of the litigation, namely, A.S.No.66 of 2010 pending on the file of the Additional Subordinate Court, Pudukottai.

5.No prejudice will be caused to the respondents, if such an observation is recorded by this Court.

6.For the foregoing reasons, this Writ Petition is disposed of by directing the fourth respondent to re-locate the electric poles erected in the property of the petitioner in New S.Nos.292/2 and 292/3 Keelaiyur Village, Alangudi Taluk, Pudukkottai District to some other place within a period of two weeks from the date of receipt of a copy of this order. The fourth respondent is also granted liberty to grant electricity service connection to the fifth respondent. However, the grant of the said electricity service connection is subject to the result of the litigation in A.S.No.66 of 2010 pending on the file of the Additional Subordinate Court, Pudukottai. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

The Assistant Engineer,
TANGEDCO, Alangudi West,
Alangudi West, Alangudi Taluk,
Pudukottai District.

+1 CC to M/s.G. SRIDHARAN, Advocate (SR-20279[F] dated 21/04/2022)

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-20680[F] dated
22/04/2022)

W.P. (MD)No.7621 of 2022
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MGJ(05.05.2022) 3P 4C