



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12514 of 2022

P. Sekar

... Petitioner

Vs.

1. The Asistant Engineer,
Operation & Maintenance,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Kovilur,
Dindigul District.

2. Manivel

3. Kathirvel

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 1st respondent in impugned order Ka.No.Oo.Mi.Po/ E&Pe/ Kovi/ v.Aa/ A.No.42/22.23/30.05.2022 and set aside the same as illegal and consequently direct the 1st respondent to effect electricity connection to the petitioner's house constructed in the land comprised in Survey No.189A/1C, at Nallur Village, Gujiliyamparai Taluk, Dindigul District.



2

W.P.(MD)NO.12514 OF 2022

For Petitioner : Mr.I. Velpradeep

For R-1 : Mr.S.Deenadhayalan,
Standing counsel.

For R-2 & R-3 : Mr.A. Arockiam

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner and respondents 2 and 3 are brothers. The petitioner has however not impleaded the sisters. Be that as it may, the relief sought in the writ petition is for grant of electricity service connection for the petition mentioned house. The petition mentioned house has been constructed on a joint family property. It appears that the partition is yet to take place. However, construction has been put up on account of the objections raised by the private respondents herein. The first respondent could not give electricity service connection.



2. When the matter was taken up for hearing, the learned counsel appearing for the private respondents submitted that the petitioner having put up a construction must extend his fullest co-operation for amicable divisioning of the joint family property. The petitioner through his counsel undertook before this Court that he will extend his fullest co-operation for amicable partition of the joint family property. Since the house has been put up on 5 cents of land, he will abide by any decision that may be taken by the elders. He will simply sign on the dotted lines.

3. Recording the said undertaking, I direct the first respondent to provide electricity connection to the writ petitioner subject to the writ petitioner on furnishing of indemnity bond and fulfilling the other formalities. The order impugned in this writ petition is set aside. This writ petition stands allowed. The electricity service connection will be provided within a period of six weeks from the date of receipt of a copy of this order. No costs.

03.08.2022

Index : Yes / No
Internet : Yes/ No

PMU



4

W.P.(MD)NO.12514 OF 2022

G.R.SWAMINATHAN,J.

PMU

To:

The Asistant Engineer,
Operation & Maintenance,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDGO),
Kovilur,
Dindigul District.

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