

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14319 of 2022

S.Malarvizhi

... Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Madurai.

2.The Executive Engineer,
S.S.Complex, TANGEDCO,
Usilmapatti – 625 532.

3.The Assistant Executive Engineer,
S.S.Complex, TANGEDCO,
Usilmapatti – 625 532.

4.The Assistant Engineer,
TANGEDCO,
Valandur,
Usilampatti – 625 532.

5.Chinnapandi @ Pandi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to not to provide the free agriculture electricity service connection to the bore well dug in survey No.181/1 of Ayyanarkulam Village, Usilampatti Taluk owned by the fifth respondent by considering petitioner's representation dated 19.05.2022.

For Petitioner : Mr.K.K.Samy
For R-1 to R-4 : Mr.S.Deenadhayalan,
Standing Counsel.
For R-5 : Mr.S.P.Naveen Kumar.

ORDER

Heard the learned counsels on either side.

2. The petitioner is owning agricultural lands adjacent to that of the fifth respondent. He wants TANGEDCO to be restrained from granting free agricultural electricity connection. The apprehension of the petitioner is that if the fifth respondent is allowed to take a 500 feet deep bore well, the water table of the petitioner's agricultural bore well will be affected. These issues cannot be gone into in writ proceedings.

3. The petitioner have to necessarily move the jurisdictional Civil Court for protecting his water rights. Leaving open the petitioner's rights, the Writ Petition is disposed of. No Costs.

01.09.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

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Madurai.
- 2.The Executive Engineer,
S.S.Complex, TANGEDCO,
Usilmapatti – 625 532.
- 3.The Assistant Executive Engineer,
S.S.Complex, TANGEDCO,
Usilmapatti – 625 532.
- 4.The Assistant Engineer,
TANGEDCO,
Vandalur,
Usilampatti – 625 532.

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G.R.SWAMINATHAN, J.

Nsr

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