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W.P.(MD)NO.20049 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20049 of 2022 and
W.M.P.(MD)No.14582 of 2022

D.Vivekanandan

... Petitioner

Vs.

1. The Executive Engineer,
TANGEDCO,
TNEB,
Batlagundu.

2. The Assistant Executive Engineer,
Construction and Improvement,
TANGEDCO,
Pannaikkadu.

3. Rani Yogeeswari

4. Sundaramoorthy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned communication bearing No.125/2022 dated 17.08.2022 on the file of the 2nd respondent and quash the same as illegal.



For Petitioner : Mr.I.Sam Jegan

For R-1 & R-2 : Mr.S.Deenadhayalan,
Standing Counsel.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing counsel appearing for respondents 1 and 2.

2. Considering the nature of relief to be granted, issuance of notice to respondents 3 and 4 is dispensed with.

3. The private respondents herein moved the TANGEDCO for getting electricity service connection. That was objected to by the writ petitioner. The second respondent informed the petitioner that he would go ahead with the work of providing electricity service connection. This stand of the second respondent is put to challenge in this writ petition.

4. A civil suit may be pending; only if the petitioner



had obtained a restraint order, then and then alone the authority can be prevented from granting electricity service connection to the private respondents. Considering the facts and circumstances, the second respondent is directed to defer granting electricity service connection for a period of exactly three weeks from today. If the writ petitioner is able to obtain restraint order from the jurisdictional civil Court in the meanwhile, then obviously the second respondent will have to abide by the direction of the jurisdictional civil Court. If the petitioner is not able to get the interim order in his favour, then the second respondent can go ahead with the work of providing electricity service connection to the private respondents. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

29.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

Note : Issue order copy on 30.08.2022.

G.R.SWAMINATHAN,J.



WEB COPY



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W.P.(MD)NO.20049 OF 2022

PMU

To:

1. The Executive Engineer,
TANGEDCO,
TNEB,
Batlagundu.
2. The Assistant Executive Engineer,
Construction and Improvement,
TANGEDCO,
Pannaikkadu.

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