



W.P.(MD).No.6183 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.6183 of 2014

Jamal Mohammed

... Petitioner

-VS-

1. The District Collector,
Thanjavore District.
2. The Superintending of Engineer,
Tamil Nadu Electricity Board,
Thanjavore.
3. The Executive Engineer,
Department of Electricity Board,
Pattukottai.
4. The Tahsildar,
Pattukottai.
5. The Inspector of Police,
District Crime Branch,
Thanjavore District.
6. Kama Muttai @ Sahul Hameed

.... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 03.10.2013 seeking the respondents No.1 and 2 to disconnect the free electricity connection in Service No.1156/95 using by respondent No.6.

For Petitioner	: Mr.S.M.A.Jinnah
For R-1 & R-4	: Mr.B.Saravanan Additional Government Pleader
For R-2 & R-3	: Mr.Ramanathan Standing Counsel
For R-5	: Mr.P.Kottaichamy Government Advocate (Crl. Side)
For R-6	: Mr.Prabhakaran

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus directing the third respondent to consider the representation of the writ petitioner, dated 03.10.2013. As per the representation of the writ petitioner, the sixth respondent has obtained electricity connection in Service No.1156/1995 for Survey No.9/1B6, which is an agricultural service connection.



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2. According to the learned Counsel for the petitioner, without producing any documents or producing certain forged documents, such a service connection has been obtained by the sixth respondent herein. Hence, the petitioner has sought for a Mandamus to consider the representation by the third respondent herein.

3. According to the learned counsel for the sixth respondent herein, there is a civil dispute between the petitioner and the sixth respondent herein. The petitioner is a power agent and he has filed Civil Suit in O.S.No. 8 of 2004 on the file of the learned Additional District Judge, Pattukottai, for the relief of partition and separate possession, in which, the sixth respondent herein has been arrayed as the sixth defendant. According to the learned Counsel for the sixth respondent, he is a purchaser from one of the co-sharers and hence, he is entitled to have the said service connection.

4. In view of the above said facts, the third respondent is directed to consider the representation of the writ petitioner dated 03.10.2013. In case,



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if the third respondent arrives at a finding that any forged documents have been presented, it is for the third respondent to consider disconnection of the electricity service connection. On the other hand, if the third respondent finds that there is a serious title dispute, he should await for the result of said Civil Suit in O.S.No.08 of 2004.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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