



W.P(MD).No.6478 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.6478 of 2014
and
W.M.P.(MD)Nos.1 and 2 of 2014

J.Gnanadevi

... Petitioner

-VS-

1.The Assistant Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
(TANGEDCO), Kadaladi,
Ramanathapuram District.

2.Chellakannu

3.Selvam

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the first respondent from erecting the electric pole in the petitioner property at S.No.463-14 at Veerambal Village, Mudukulathur Taluk, Ramanthapuram District for the purpose of giving electricity connection to the property of the second and third respondents and further direct the first respondent to utilize the available short route to connect the electric line for the second and third respondent house.

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For Petitioner : Mr.K.R.Laxman
For R1 : Mr.S.Deenadhayalan
Standing Counsel
For R2 : Mr.C.Gangaianmaran

ORDER

The present writ petition has been filed seeking writ of mandamus forbearing the first respondent herein from effecting service connection to the respondents 2 and 3, by erecting electrical poles in the property of the petitioner.

2.According to the learned Standing Counsel for the first respondent due to the objections raised by the writ petitioner, sofar the electrical poles have not been erected.

3.The learned counsel for the second and third respondents contended that the petitioner had filed O.S.No.27 of 2012 on the file of the learned District Munsif, Mudukulathur as against the second and third respondents herein for the relief of declaration that a particular piece of land is an exclusive pathway of the petitioner and sought for permanent injunction.



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4.It is represented on either side that the suit has been dismissed and First Appeal has been presented by the writ petitioner. It is yet to be numbered.

5.In view of the above said facts, there is no legal impediment on the side of the first respondent herein to proceed with the request of the second and third respondents for giving electricity service connection. However, if the connection is effected, it is subject to the result of the First Appeal that is said to have been filed by the writ petitioner herein. In the result, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.11.2022

Index : Yes / No
Internet : Yes / No
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To

1.The Assistant Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation Limited,
(TANGEDCO), Kadaladi,
Ramanathapuram District.

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R.VIJAYAKUMAR,J.

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