



WEB COPY



W.P.No.14531 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.14531 of 2023

T.Sakthivel

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
Anna Salai,
Chennai – 600 002
2. The Executive Engineer
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Coimbatore Power Distribution Circle/South Negamam
Coimbatore District.
3. The Assistant Electricity Engineering
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Katampatti,
Negamam Taluk,
Coimbatore District.
4. The District Collector,
Coimbatore,
Coimbatore District.
5. K.Selvaraj

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to provide electricity service connection to the petitioner's Borewell immediately at R.S.No.447/1A in Malaipalayam Village of Sulur Taluk in Coimbatore District in pursuance of proceedings of the second respondent in Letter No.SePO/E.Pe/Nega/ThoNoo/Ko.Pu.Ma/A.No.199/2023 dated 03.02.2023.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.Jaivenkatesh,
Standing Counsel

ORDER

Mr.L.Jaivenkatesh, learned Standing Counsel takes notice on behalf of the first to third respondents.

2. The petitioner appears to be having a dispute regarding a common pathway between him and the fifth respondent. The fifth respondent has also filed a suit before the District Munsif Court, Sulur in O.S.No.199 of 2022 and has secured against the petitioner's father namely Thirumalaisamy.

3. The petitioner appears to be the second defendant in the above suit. The fifth respondent has also obtained an interim order from the District Munsif Court, Sulur on 28.11.2022. Meanwhile, the petitioner's application



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for EB connection has been deferred on account of the private dispute with the fifth respondent herein.

4. The second respondent has issued an impugned communication and has stated that the petitioner's application will be considered once the fifth respondent is clear.

5. The petitioner's application deserves to be considered. Considering the fact that the Court below namely District Munsif Court, Sullur has made it clear that the impugned order will not in any way affect the petitioner or father's right to cut down electricity connection through Electricity Board.

6. Considering the above, I direct the official respondents to dispose of the petitioner's application for electricity connection. In case, electricity connection is to be given, it may be granted without prejudice to the rights of the fifth respondent in O.S.No.199 of 2022.

7. The Writ Petition stands disposed of with the above observations.
No costs.



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Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm

C.SARAVANAN, J.

rgm



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