



W.P.No.24888 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.24888 of 2023
and W.M.P.Nos.24319, 24320 and 24321 of 2023

P.Pandidurai

... Petitioner

Vs.

1.The Assistant Engineer,
O&M/RVE Nagar, TANGEDCO,
Tiruppur Electricity Distribution Circle,
Maniakampalayam Road,
Rakkiapalayam Road,
Tiruppur-641 606

2.The Executive Officer,
Arulmighu Vishweswara Swamy Temple,
Nallur, Tiruppur District.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the first respondent in cancelling the Application Reference No.200032710423271 dated 15.05.2023 and to quash the same as being illegal and unsustainable in law and for a consequential direction to the first respondent electricity board to effect residential electricity service connection



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to the petitioner residential house under Tariff-IA situated at SF No.133, Layout Plan No.2B, No.23 Kanchi Nagar, Nallur, Tiruppur District-641 604 based on my application dated 26.04.2023 without insisting NOC from the second respondent.

For Petitioner : Mr.S.K.Rameshwar

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB
for R1

Mr.S.Yashwanth
Additional Government Pleader
for HR and CE
for R2

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner claims title over a piece of land, over which Arulmighu Vishweswara Swamy Temple also claims title. Indeed, Patta has been granted to the petitioner, which is now been challenged by the second respondent, the the Executive Officer of the said temple before the Revenue Divisional Officer, and the appeal is pending. In the meantime, the petitioner has applied for an



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electricity connection, and this has been rejected by the first respondent on the ground that certain defects indicated by the first respondent has not been cleared within seven days as stipulated.

3.Mr.S.Yashwanth, the learned Additional Government Pleader takes notice for the second respondent.

4.Heard Mr.S.K.Rameshwar, the learned counsel for the petitioner, Mr.L.Jaivenkatesh, the learned Standing Counsel for the first respondent and Mr.S.Yashwanth, the learned Additional Government Pleader appearing for the second respondent.

5.The learned counsel for the petitioner submitted that in an identical situation in another case *vis-a-vis* another person in the same plot of land in W.P.No.36201 of 2016, this Court vide its order dated 14.03.2017, has directed the TANGEDCO to issue electricity connection in the name of the temple, but without prejudice to the contention of the petitioner *vis-a-vis* his title.



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6.The learned counsel for the respondents made a statement, in unison, that the electricity connection indeed has been granted in the name of the second respondent.

7.Since the modified statement of the petitioner and the statement made by the learned counsel for the respondents are reconciled with each other, this Court considers that nothing need to be decided in this matter except to record that the electricity connection given to the second respondent will be without prejudice to any of the right of the petitioner against the second respondent.

8.This Writ Petition stands disposed of accordingly. No Costs. Consequently, the connected miscellaneous petitions are closed.

23.08.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

1.The Assistant Engineer,
O&M/RVE Nagar, TANGEDCO,

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2.The Executive Officer,
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N.SESHASAYEE, J.

Anu



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