



W.P.No.30484 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.30484 of 2022

Ranganathan

... Petitioner

Vs

1.The Chairman

Tamilnadu Generation and Distribution Corporation Limited
(TANGEDCO)
No.144, Annasali,
Chennai – 600002.

2.The Superintending Engineer,

Salem Electricity Distribution Circle,
Tamilnadu Generation and Distribution Corporation Limited
Udayappatti,
Salem.

3.The Assistant Executive Engineer (Operation and Maintenance)

Tamilnadu Generation and Distribution Corporation Limited
Valapadi
Salem.

4.The Assistant Engineer (Operation and Maintenance)

Belur West,
Salem District.

5.Dheepa

(R5 impleaded as per order of this Court
dated 02.11.2023 in WMP.No.7447 of 2023
in W.P.No.30484 of 2022)

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India

praying to issue a Writ of Mandamus to direct the respondents to provide Electricity Connection to the petitioner land comprising Survey No.48/1 measuring Acre 4.92 cent situated at Periyakuttimadavur Village, Valapadi Taluk, Salem District based on the petitioner's application in S.No.2168 dated 20.12.2001.

For Petitioner : Mr.S.Deepan
for Ms.S.Vinodha

For Respondents : Mr.I.Syed Sibghatulla (for R1 to R4)
Standing Counsel

Mr.Umapathy.N (for R5)

ORDER

Heard Mr.S.Deepan, learned counsel appearing on behalf of Ms.Vinodha, learned counsel for the petitioner, Mr.I.Syed Sibghatulla, learned Standing Counsel for TANGEDCO/R1 to R4 and Mr.Umapathy .N, learned counsel for R5.

2.The petitioner prays for a mandamus simplicitor to direct the official respondents to provide electricity connection to his land at Survey No.48/1 ad-measuring 4.92 acres situated at Periyakuttimadavur Village, Valapadi Taluk, Salem District (property/property in question).



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3.He has made an application in Serial No.2168 as early as on 20.12.2001 and has approached this Court since there has been no action taken in regard to the matter.

4.The petitioner has filed a bald affidavit without even making a non-disclosure of the civil litigation that is pending between himself and R5. This fact comes to the knowledge of the Court only from the counter filed by R4 and it is seen that there is a suit filed by R5 in O.S.No.108 of 2011, wherein the petitioner is arrayed as R2.

5.Simply on ground of non-disclosure, this writ petition could be dismissed. However, seeing as the respondents do not pursue that line of argument, this writ petition is closed, directing R3 to consider the application of the petitioner, issue notice to him as well as to R5 as well as any other party who may be appropriate, hear all the parties and pass orders on petitioner's application dated 20.12.2001 in accordance with law, having regard to the civil litigation per se the parties and in line with the principles of natural justice within a period of twelve (12) weeks from today.

6.Since it is the case of the respondents that partition has already been effected with regard to the property in question, needless to say, the request of the petitioner for electricity connection can be considered only with respect to any property to which he is entitled. In any event, since the facts are entirely



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unclear, it is for the respondents to marshal and assimilate the same and take a decision, in accordance with law.

7.This writ petition is disposed in terms of the above order. No costs.

27.11.2023

Index : Yes/No

Speaking order

Neutral Citation: Yes

vs

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Dr.ANITA SUMANTH, J.

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