



W.P.No.32266 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.32266 of 2022

D.Rajammal

... Petitioner

Vs.

1.The Executive Engineer,
Operation & Maintenance / TANGEDCO,
Rasipuram 110/22 KV SS
Kattur, Rasipuram,
Rasipuram Taluk.

2.Namakkal/The Asst. Engineer (O & M),
Tamil Nadu Electricity Board,
Kakkaveri, Rasipuram Taluk,
Namakkal District.

3.Kannan

4.Sathyamurthy

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing 1st and 2nd respondent herein to disconnect the electricity connection No.509-002-384 in the name of the 4th respondent herein and to remove the electric wires in the petitioner's land situated in Survey No.207/2, Singalanthapuram Village, Rasipuram Taluk, Namakkal District based



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on the petitioner's complaint dated 12.10.2022.

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For Petitioner : Mr.G.Karthikeyan
Senior Counsel

For Respondents : Mr.I.Syed Sibghatulla
Standing counsel for R1 and R2

M/s.Zeenath Begum
for R3 and R4

ORDER

A certain dispute has arisen regarding the partition of the estate of the late Duraisamy. The petitioner claims to be his widow, and the 4th respondent herein is the son born to the first wife of the late Duraisamy. This dispute led to the institution of O.S. No. 110 of 2010 before the District Munsif Court, Rasipuram, where the Court has even passed a final decree on 07.08.2015.

2.The present dispute is an ancillary dispute to the court. The petitioner would now contend that respondents 1 and 2 have provided electricity connection to a hut which partially encroaches into the property allotted to the petitioner under the final decree.



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3. Heard Mr.G.Karthikeyan, the learned Senior Counsel for the petitioner as well as Mr.I.Syed Sibghatulla, the learned Standing Counsel for respondents 1 and 2, and M/s.Zeenath Begum, the learned counsel appearing for respondents 3 and 4.

4.A solution to the problem is not impossible. The petitioner or the 4th respondent, as the case may be, is now required to apply for a survey and to fix the boundaries in terms of the final decree proceeding, and determine the boundaries so established. Once this exercise is completed, TANGEDCO is required to make a field visit and ascertain whether the electricity connection provided to the 4th respondent is in violation of any of its norms, and at all times with notice to both sides.

5.This Writ Petition stands disposed of accordingly with the above direction. No Costs.

18.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no



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N.SESHASAYEE, J.
Anu

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