



W.P(MD)No.525 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.525 of 2022
and
W.M.P.(MD)No.404 of 2022

J.Balasubramanian

... Petitioner

Vs.

- 1.The Junior Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Valadi - 621218, Lalgudi Taluk,
Trichy District.
- 2.The Executive Engineer,
Operation and Maintenance,
Tamilnadu Generation and Distribution
Corporation Limited,
Lalgudi, Lalgudi Taluk,
Trichy District.
- 3.Ra.Muruganantham
- 4.J.Jayakumar
- 5.R.Jayalakshmi
- 6.T.Rukmani
- 7.J.Chitra

... Respondents



W.P(MD)No.525 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to 1st respondent proceedings made in LR.NO.AE/JE/O & M/1272/F.Name Transfer/D.No. /2016-2017, dated 07.05.2016, quash the same and further direct him to keep the service connections bearing S.C.Nos.06-218-008-30 06-218-008-31 in the name of petitioner's grand mother T.M.Chellapappammal, as its in earlier position, till the disposal of suits in O.S.No.737 of 2018 on the file of sub-judge, Lalgudi.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.S.Deenadhayalan,
Standing COUNSEL for R1 & R2.
Mr.H.Lakshmi Shankar for R3.
No appearance for R4 to R7.

ORDER

Heard both sides.

2.The petitioner filed O.S.No.101 of 2014 on the file of I Additional Sub Court, Trichirappalli seeking the relief of partition. During the pendency of the said suit, the third respondent herein



W.P(MD)No.525 of 2022

purchased the petition mentioned property from the petitioner's father.

Thereafter, the third respondent filed O.S.No.187 of 2016 on the file of the III Additional District Court, Trichirappalli seeking the relief of recovery of possession. Even as these two suit proceedings were pending, the electricity service connection was changed from the name of the petitioner's grandmother to that of the third respondent.

3.Admittedly, the petitioner is in possession. Civil suits are also pending. Therefore, the question of changing the electricity service connection at this stage does not arise at all. In fact, it is also not in the interest of the third respondent. If any misdemeanor or energy theft is committed in respect of the said service connection, adverse consequences will fall on the third respondent. Therefore, it would be advisable for the third respondent to await the outcome of the suit proceedings.

4.I, therefore set aside the name change effected by TANGEDCO. The electricity service connection will stand in the name of the petitioner's grandmother. I make it clear that the rights of the parties will



W.P(MD)No.525 of 2022

abide by the eventual outcome of the suit proceedings. The name change will be carried out by the respondents 1 and 2 forthwith and without any delay.

5.This writ petition is allowed on these terms. No costs.

Consequently, connected miscellaneous petition is closed.

03.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.525 of 2022



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W.P(MD)No.525 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.525 of 2022

03.10.2023