



W.P.(MD)Nos.5531 to 5534 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.5531 to 5534 of 2011

and

M.P.(MD)Nos.2, 1, 1 and 1 of 2011

W.P.(MD)No.5531 of 2011

1. Shanmugam
2. Chinnaiah
3. P.Leelavathi
4. P.Muthukrishnan

... Petitioners

versus

1. The Assistant Engineer,
(Operation and Maintenance)
Tamilnadu Electricity Board,
Kannivadi,
Dindigul District.

2. Sangeetha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to forbear the first respondent or their men or agents from disconnecting the electricity



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supply in SC No.37 in Alathooranpatti situate in the well in Survey No. 422/4 in Sirangadu Village, Dindigul Taluk and Dindigul District.

For Petitioners : Mr.H.Lakshmi Shankar

For R1 : Mr.Deenadayalan
Standing Counsel

For R2 : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates

W.P.(MD)No.5532 of 2011

Shanmugam

... Petitioner

versus

1. The Assistant Engineer,
(Operation and Maintenance)
Tamilnadu Electricity Board,
Kannivadi,
Dindigul District.

2. Sangeetha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned communication Ka.No.U.Me.Po./E&Pe/Ka.VaPe/Ko.Kattu/A.No.62/11 dated 17.03.2011 on the file of the 1st respondent and quash the same as



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illegal, arbitrary and without jurisdiction and consequently forbear the 1st respondent or anybody acting through him or claiming under him from disconnecting the electricity connection in S.C.No.1006 in Alathooranpatti to the Door No.2-3-46 in Veerapudayanpatti, Kannivadi Post, Sirangadu Village, Dindigul Taluk, Dindigul District standing in the name of the petitioner on the basis of the impugned communication.

For Petitioner : Mr.H.Lakshmi Shankar

For R1 : Mr.Deenadayalan
Standing Counsel

For R2 : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates

W.P.(MD)No.5533 of 2011

P.Chinnaiah

... Petitioner

versus

1. The Assistant Engineer,
(Operation and Maintenance)
Tamilnadu Electricity Board,
Kannivadi,
Dindigul District.

2. Sangeetha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned communication Ka.No.U.Me.Po./E&Pe/Ka.VaPe/Ko.Kattu/A.No.63/11 dated 17.03.2011 on the file of the 1st respondent and quash the same as illegal, arbitrary and without jurisdiction and consequently forbear the 1st respondent or anybody acting through him or claiming under him from disconnecting the electricity connection in S.C.No.1041 to the Door No.2-3-47 in Veerapudayanpatti, Kannivadi Post, Sirangadu Village, Dindigul Taluk, Dindigul District standing in the name of the petitioner on the basis of the impugned communication.

For Petitioner : Mr.H.Lakshmi Shankar

For R1 : Mr.Deenadayalan
Standing Counsel

For R2 : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates

W.P.(MD)No.5534 of 2011

P.Leelavathi

... Petitioner

versus

1. The Assistant Engineer,
(Operation and Maintenance)
Tamilnadu Electricity Board,
Kannivadi,
Dindigul District.



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2. Sangeetha
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... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned communication Ka.No.U.Me.Po./E&Pe/Ka.VaPe/Ko.Kattu/A.No.61/10-11 dated 17.03.2011 on the file of the 1st respondent and quash the same as illegal, arbitrary and without jurisdiction and consequently forbear the 1st respondent or anybody acting through him or claiming under him from disconnecting the electricity connection in S.C.No.1197 in Alathooranpatti to the Door No.2-3-45 in Veerapudayanpatti, Kannivadi Post, Sirangadu Village, Dindigul Taluk, Dindigul District standing in the name of the petitioner on the basis of the impugned communication.

For Petitioner : Mr.H.Lakshmi Shankar

For R1 : Mr.Deenadayalan
Standing Counsel

For R2 : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates



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Additional District Munsif Court, Dindigul, seeking the relief of declaration and permanent injunction. The trial Court, by Judgment and Decree dated 27.11.2000, has partly decreed the suit granting the relief of declaration, however, refused to grant the relief of injunction. In the appeal preferred by the plaintiffs in A.S.No.490 of 2004, the Sub Court, Dindigul, by Judgment and Decree dated 17.07.2008, has granted the relief of injunction also. As against the same, some of the defendants have preferred a second appeal before this Court in S.A. (MD)No.119 of 2011. This Court has entertained the second appeal and also ordered notice in second appeal.

4. Since the petitioners are enjoying the electricity service connection pending the suit and the Appeal Suit, these writ petitions are disposed of with a direction to the parties to work out their remedy on the outcome of the second appeal in S.A(MD)No.119 of 2011. This order does not have any bearing on the right of parties in the second appeal. The impugned notice shall be kept in abeyance till the disposal



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of the second appeal. The respondent shall proceed further based on the outcome of the second appeal. No costs. Consequently, connected miscellaneous petitions are closed.

08.11.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

To

1. The Assistant Engineer,
(Operation and Maintenance)
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B.PUGALENDHI, J.

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