



**W.P(MD)No.3374 of 2022**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 29.11.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.3374 of 2022**  
**and**  
**W.M.P(MD)No.2950 of 2022**

1.Mahalingam

2.Senthil Kumar

... Petitioners

**Vs.**

- 1.The District Collector,  
Office of the District Collector,  
Collectorate,  
Sivagangai District.
- 2.The Block Development Officer,  
Thiruppathur Panchayat Union,  
Sivagangai District.
- 3.The Panchayat President,  
Manamelpatti Panchayat,  
Thiruppathur Panchayat Union,  
Sivagangai District.



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4.The Assistant Engineer,  
Office of the Assistant Engineer,  
Tamil Nadu Generation and  
Distribution Corporation Limited,  
Thiruppathur Town,  
Sivagangai District.

5.N.Gandhimani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to disconnect the electricity connection in connection No. 476-004-689 in the name of fifth respondent of the property situated in 477/21, 72/2, Keela Street, Manamelpatti, Manamelpatti Panchayat, Thiruppathur, Sivagangai District.

For Petitioners : Mr.S.A.Ajmalkhan

For Respondents : Mr.M.Prakash  
Advocate Government Pleader  
for R.1 to R.3

Mr.S.Deenadhayalan  
Standing Counsel for R.4

Mr.G.Prabhu Rajadurai for R.5

### **ORDER**

Heard both sides.



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2.The first petitioner and the fifth respondent are siblings. The fifth respondent obtained electricity connection in his name. The petitioners want the same to be disconnected.

3.It is seen that the first petitioner has already filed O.S.No.16 of 2020 on the file of the District Munsif Court, Thiruppathur. The suit is still pending. The petitioner has not obtained any restraint order in his favour the said suit. The fifth respondent had earlier filed W.P(MD)No. 18641 of 2021 seeking electricity connection. The petitioners were figuring as the respondents 4 and 5 and it was disposed of on 29.11.2021. In fact, electricity service came to be granted only pursuant to the said order.

4.The petitioners need not have any cause for worry. Merely because the fifth respondent has obtained electricity connection, that will not in any way strengthen his hands. The rights of the fifth respondent as well as the service connection will have to necessarily abide by the outcome of the suit filed by the petitioners herein.



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5. With this observation, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**29.11.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
MGA

To

1. The District Collector,  
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Sivagangai District.
3. The Panchayat President,  
Manamelpatti Panchayat,  
Thiruppathur Panchayat Union,  
Sivagangai District.
4. The Assistant Engineer,  
Office of the Assistant Engineer,  
Tamil Nadu Generation and  
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Thiruppathur Town,  
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4/5



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**G.R.SWAMINATHAN, J.**

MGA

Copy to:

The District Munsif Court,  
Thiruppathur.

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and  
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