



WP(MD)No.6484 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.6484 of 2023
and W.M.P(MD)No.6130 of 2023

- 1.A.Kannan
- 2.Sevugaperumal
- 3.Kannaki
- 4.Kanimozhi
- 5.Gagendran
- 6.Valarmathi
- 7.Sumathi
- 8.Vanaja
- 9.Kumaran
- 10.Saravanan

... Petitioners

Vs.

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Singampunari Taluk,
Sivagangai District.

3.The Taluk Surveyor,
Singampunari Taluk,
Sivagangai District.



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4.The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

5.The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Sivagangai District,
Sivagangai.

6.The Assistant Engineer,
Tamilnadu Generation & Distribution Corporation Ltd.,
(TANGEDCO),
Sivagangai Taluk,
Sivagangai District,
Sivagangai.

7.Murugesan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the respondents 5 and 6 to cancel the Electricity Connection No.054850051404 in S.No. 149/12 Patta No.73/13 Singampunari Village, Sivagangai District as per Revenue records issued by the respondents 1 to 4.

For Petitioner	: Mr.J.Gunaseelan Muthiah
For R1 to R4	: Mr.N.Muthu Vijayan Special Government Pleader
For R5 & R6	: Mr.S.Deenadhayalan, Standing Counsel
For R7	: Mr.S.Sugumar



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ORDER

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This Writ Petition has been filed in the nature of writ of mandamus seeking a direction to the first respondent to cancel the Electricity Connection No. 054850051404 in S.No.149/12 Patta No.73/13 Singampunari Village, Sivagangai District.

2. There is a dispute between the petitioners and the 7th respondent regarding title and possession. The learned counsel for the 7th respondent claims title to the suit property by way of a sale deed. The learned counsel for the petitioner on the other hand claims that patta for the aforementioned land stands in the names of the petitioners herein. It is also stated that the issue of possession is in dispute. The learned counsel for the petitioner claims that the petitioners are in possession and the learned counsel for the 7th respondent claims that the 7th respondent is in possession.

3. This issue can never be decided by this Court exercising jurisdiction under Article 226 of the Constitution of India particularly since the issue of



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title will have to be decided only through evidence. The issue of possession also will have to be decided through evidence. Either one of the parties can approach the civil court and establish possession and title and seek appropriate remedy. Giving such liberty to the petitioner and the 7th respondent, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.06.2023

Index : Yes/No
Internet : Yes/No
CM



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3.The Taluk Surveyor,
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4.The Revenue Divisional Officer,
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Sivagangai.



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C.V.KARTHIKEYAN, J.

CM

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and W.M.P(MD)No.6130 of 2023

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