



*W.P. (MD).No.10831 of 2021*

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

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**DATED: 18.10.2023**

**CORAM**

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD).No.10831 of 2021**

S.Peter Raj

... Petitioner

Vs

1. The Superintending Engineer,  
TANGEDCO, Thiagaraja Nagar,  
Sivanthipatti Road, Tirunelveli-627 011.
2. The Executive Engineer,  
TANGEDCO, Valliyoor, Tirunelveli District 627117.
3. The Assistant Executive Engineer,  
TANGEDCO, Thisayanvilai,  
Tirunelveli District.
4. The Assistant Engineer,  
TANGEDCO, Ittamozhi,  
Tirunelveli District -627652.

5. A.Antony Raj

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to cancel the free electricity service connection No. 074-006-646 in S.No.184/4 in Sadayaneri Village, Thisaiyanvilai,



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Tirunelveli District, which stands in the name of the 5<sup>th</sup> respondent, which was obtained by submitting false evidence and by fabricating documents of the Maria Grace Rural Educational Society's property, considering the petitioner's representation, dated 25.05.2021.

For Petitioner : Mr. I.Robert Chandrakumar

For Respondents : Mr.S.Deenadhayalan(R1 to R4)  
Standing Counsel

Mr.R.Karunanidhi (R5)

### **ORDER**

This Writ Petition has been filed for issue of writ of mandamus directing the respondents 1 to 4 to consider the representation made by the petitioner on 25.05.2021, wherein, the petitioner is seeking for cancellation of electricity service connection that was given in favour of the 5<sup>th</sup> respondent, with respect to the subject property.

2.The case of the petitioner is that the fifth respondent had obtained free electricity connection by submitting fabricated documents by showing as if he is the owner of the property. According to the petitioner, it is Maria Grace Rural Educational Society, who is the actual



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owner of the property.

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3.The further case of the petitioner is that no such agricultural activity is taking place. Therefore, the petitioner sent a representation to the respondents 1 to 4 to cancel the free electricity connection given in the name of the fifth respondent.

4.The learned counsel appearing for the fifth respondent submitted that the writ petition itself was filed with ulterior motive, since there was a dispute between the petitioner and the above said Society. The learned counsel for the fifth respondent further submitted that the service connection is being utilized only for agricultural purpose and absolutely there is no ground to cancel the service connection as sought for by the petitioner.

5.This Court considered the submissions made on either side and perused the materials available on record.

6.This Court does not want to go into the rival claim made by



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the petitioner and the fifth respondent. Ultimately, the official respondent must be satisfied that the service connection has been given in favour of the right person and the service connection is utilized for agricultural activities. Hence, there shall be a direction to the second respondent to consider the representation made by the petitioner on 25.05.2021 and conduct an enquiry by affording opportunity to the petitioner and the fifth respondent. The second respondent shall also enquire as to whether the property actually stands in the name of the fifth respondent or whether it belongs to the Society, as claimed by the petitioner. Ultimately, the second respondent must satisfy himself that the free electricity service connection has gone into the right hands and has been put to use for the right purpose. Such final decision shall be taken by the department, within a period of six weeks from the date of receipt of copy of this order. No costs.

**18.10.2023**

NCC : Yes/No  
Internet : Yes/No  
Index : Yes/No  
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**N.ANAND VENKATESH, J.**

**PNM**

**ORDER IN  
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**18.10.2023**