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W.P.(MD)No.12610 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.12610 of 2020 and
W.M.P.(MD)No.10746 of 2020

B.Selvakumar

... Petitioner

VS.

- 1.The Superintending Engineer,
TANGEDCO,
Door No.1/65, Ramamoorthy Road,
Virudhunagar- 626 001.
- 2.The Assistant Engineer,
TANGEDCO,
Door No.1/65, Ramamoorthy Road,
Virudhunagar- 626 001.



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3.M/s.Kumaran Real Estate Builders,
represented through its Partner,
R.Gandhirajan,
Door No.157/56, KR Garden,
Katcheri Road,
Virudhunagar-626 001.

4.R.Moorthy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Rejection Order of the 2nd respondent in Ka.No.U.Mi.Po/Na/Me/Viruthu/Go.Ka/A.No.314, dated 20.06.2020 and to quash the same and also to pass a direction to the 2nd respondent to disconnect the Temporay Service Connection No.222 007 878 under Tariff VI in the name of the 3rd respondent.



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For Petitioner : Mr.S.Chandrasekaran
For R1 and 2 : Mr.S.Deenadhayalan
For R3 and 4 : Mr.S.Madhavan

ORDER

This writ petition is filed for writ of Certiorarified Mandamus, to quash the impugned Rejection Order of the 2nd respondent, dated 20.06.2020 and also to direct the 2nd respondent to disconnect the Temporary Service Connection No.222 007 878 under Tariff VI in the name of the 3rd respondent.

2. The learned Counsels appearing for the petitioner as well as the



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respondents submitted that pending writ petition, the service connection granted to the 3rd respondent was disconnected on 07.11.2020. Therefore, the prayer in this writ petition is already granted to the petitioner.

3. However, it was brought to the knowledge of the Court that the petitioner has filed a suit in O.S.No.23 of 2005 on the file of Sub-Court, Virudhunagar and the suit is decreed in his favour. Aggrieved over the same, the respondent vendor preferred A.S.No.8 of 2012 on the file of Additional District Judge, Virudhunagar and the same was dismissed. Aggrieved over the same second appeal in S.A.(MD)No.595 of 2014 was preferred and the same is pending before this Court.



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4. Therefore, the respondents 3 and 4 cannot seek any service connection as of now. After the disposal of the second appeal, the rights of the parties will be determined. After the disposal of the second appeal, the respondents shall decide the issue raised in this writ petition. Hence, the impugned order is quashed.

5. With the above said observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

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S.SRIMATHY, J

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