



W.P.(MD).No.11618 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.05.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 11618 of 2023

and

W.M.P(MD)No.10087 of 2023

J.Kannimariyal

... Petitioner

Vs.

1.The Executive Engineer (Distribution),
Tamil Nadu Electricity Board,
Thiruchendur, Thoothukudi District.

2.The Assistant Executive Engineer, (Distribution),
Tamil Nadu Electricity Board,
Thiruchendur,
Thoothukudi District.

3.The Assistant Engineer, (Distribution),
Tamil Nadu Electricity Board,
Kayamozhi,
Thiruchendur Taluk,
Thoothukudi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, to call for the records relating to the order passed by the 3rd respondent in க.எண்.உ.மி.பொ./வி/காயாமொழி/கோ.புகார்மனு/அ/எண்.115/23-24 dated 01.04.2023 and quash the same as illegal and direct the respondents to provide Electricity Connection to the petitioner's house at Door No.3/191, Sunami Nagar, Veerapandianpattinam, Thiruchendur Taluk, Thoothukudi District.



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For Petitioner : Mr.R.Velmurugan

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed directing the respondents to grant electricity connection to the petitioner's house.

3. The contention of the petitioner is that he was in possession of the land based on the assignment order passed by the Adhi Dravidar and Tribal Welfare Officer, Thoothukudi. Subsequently, the assignment order was cancelled by the authorities, since the petitioner did not construct any house within the stipulated time granted under the assignment order. However, the said cancellation order was passed without giving notice to the petitioner, hence challenging the cancellation, the petitioner has filed a writ petition in W.P(MD)No.15912 of 2022 and this Court has granted an order of stay, vide order, dated 21.07.2022.

4. This Court is of the considered opinion, since there is interim order of stay, the petitioner is entitled to electricity connection



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until the disposal of the writ petition. Therefore, the respondents are directed to grant electricity connection.

5. However, the respondents shall take a call after the disposal of the writ petition, which was filed challenging the assignment order. If the writ petition is allowed in favour of the petitioner, then electricity connection would continue. If the writ petition is dismissed then the respondents shall take steps to disconnect, after issuing notice to the petitioner and as per law.

6. With these directions and observations, this Writ Petition is allowed. No Costs. Consequently, connected petition is closed.

Index : Yes / No
Internet : Yes
ksa

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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.11618 of 2023**

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