



W.P.(MD).No.11531 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2023
CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 11531 of 2023

Philomi

... 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*, directing the respondents to provide Electricity Connection to the petitioner's house at Door No.3/217, Sunami Nagar, Veerapandianpattinam, Thiruchendur Taluk, Thoothukudi District .

For Petitioner : Mr.R.Velmurugan

For Respondents : Mr.S.Deenadhayan
Standing Counsel



W.P.(MD).No.11531 of 2023

WEB COPY

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.15939 of 2022 and this Court has granted an order of stay, vide order, dated 22.07.2022.

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



W.P.(MD).No.11531 of 2023

WEB COPY

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

5. However, the respondents shall take a call after the disposal of the aforesaid 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.

Index : Yes / No
Internet : Yes
ksa

11.05.2023



WEB COPY



W.P.(MD).No.11531 of 2023

S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.11531 of 2023**

11.05.2023