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W.P.(MD)No.13212 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.13212 of 2021

and

W.M.P.(MD)Nos.10212 and 10555 of 2021

Eravanayakkar

... Petitioner

vs.

1.The Assistant Executive Engineer,
Tamil Nadu Generation and
Distrubution Corporation Limited,
Kallimandayam,
Oddanchathiram Taluk,
Dindigul District.



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2.The Assistant Engineer,
Tamil Nadu Generation and
Distrubution Corporation Limited,
Kallimandayam,
Oddanchathiram Taluk,
Dindigul District.

3.K.Chinnammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to give III phase electricity connection based on the petitioner's Application No.200052680621236, dated 24.06.2021, for his agricultural land in S.No.503/2B in Kallimandayam Village, Oddanchathiram Taluk, Dindigul District.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.S.Deenadhayalan

ORDER

This writ petition is filed for issuance of a writ of Mandamus, to direct the respondents 1 and 2 to give III phase electricity connection



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based on the petitioner's Application No.200052680621236, dated 24.06.2021, for his agricultural land in S.No.503/2B in Kallimandayam Village, Oddanchathiram Taluk, Dindigul District.

2. The official respondents are ready and willing to grant electricity connection. However, there is a 3rd party objection. On perusing the papers, it is seen a civil suit is pending between the petitioner and the 3rd respondent in O.S.No.594 of 2020, on the file of the Sub Court, Palani. The said suit is filed for partition, declaration and permanent injunction. Since granting of electricity connection will not confer any title, it will not affect the rights of the parties in the civil suit.

3. Therefore, the respondents 1 and 2 are directed to grant



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electricity connection. If necessary, police protection shall be sought for. However, it is made clear that the electricity connection is subject to the result of the suit in O.S.No.594 of 2020. It is also made clear that the present electricity connection shall not confer title to the petitioner or to the 3rd respondent and the same shall be determined independently.

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

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

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