



W.P.(MD)No.17932 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.17932 of 2022

R.Jeeva Raj

... Petitioner

Vs.

1. The Assistant Engineer (Distribution),
TANGEDCO,
Vicramasingapuram,
Tirunelveli.

2. The Junior Engineer (Distribution),
TANGEDCO,
Alwarkurichi Sub Station,
Tenkasi.

3. R.Vincent

4. R.Durairaj

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent to give electricity supply to the petitioner's residential premises at No.2/65A, North Street, Indira Colony, Kasiviswanathapuram, Mela Ambur Part-I Village, Tenkasi District situated in S.No.369/7A.



W.P.(MD)No.17932 of 2022

For Petitioner : Mr.P.P.Alwin Balan
For Respondents : Mr.S.Deenadhayalan
Standing Counsel for R1 and R2
Mr.T.Indrachithu for R3 and R4

ORDER

The Writ Petition has been filed in the nature of mandamus seeking a direction against the first respondent, Assistant Engineer (Distribution), TANGEDCO, Vikramasingapuram, Tirunelveli, to grant electricity supply to the residential premises of the petitioner at No.2/65A, North Street, Indira Colony, Kasiviswanathapuram, Mela Ambur Part-I Village, Tenkasi District at S.No.369/7A.

2. The petitioner and the respondents 3 and 4 are all brothers. However, they have mutual grievances against each other. The respondents 3 and 4 have serious objections against the title claimed by the petitioner herein over the said property. The petitioner has, however, built up a house and is in possession. The respondents 3 and 4 are also in possession of nearby surrounding places. There is a path, in which, there is already an existing electric pole. From that electric pole, the electricity connection is granted to the



W.P.(MD)No.17932 of 2022

respondents 3 and 4. The petitioner had made an application for grant of electricity connection and for wire to be drawn from the same electricity pole. The respondents 3 and 4, however, had raised objections. In view of the same, the present Writ Petition has been filed.

3. It is made clear that by grant of electricity connection, the petitioner cannot claim title or that his interest over the property would enlarge to claim title. The electricity connection is granted only on the basis of possession. This Court is not examining the title of either the petitioner or of the third respondent or of the fourth respondent. Necessary indemnity may be executed by the petitioner that only the electricity connection alone is sought and to that limited extent alone, the first respondent can also grant connection on the basis of possession. All other issues will have to be decided not by the respondents or by the Writ Court but by a competent Court. As on date, there is no suit pending also. The first respondent may, therefore, get necessary undertaking / indemnity bond from the petitioner herein and grant electricity connection for drawing wire from the existing electric pole. Again it is made clear that by drawing electricity wire from the electric pole, the interest



W.P.(MD)No.17932 of 2022

WEB COPY

of the petitioner cannot be enlarged. It remains as what it is, as on date. The entire exercise may be completed within a period of three weeks from the date of receipt of a copy of this order.

4. This Writ Petition stands disposed of. There shall be no order as to costs.

28.03.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



W.P.(MD)No.17932 of 2022

WEB COPY

To

1. The Assistant Engineer (Distribution),
TANGEDCO,
Vicramasingapuram,
Tirunelveli.
2. The Junior Engineer (Distribution),
TANGEDCO,
Alwarkurichi Sub Station,
Tenkasi.



WEB COPY



W.P.(MD)No.17932 of 2022

C.V.KARTHIKEYAN, J.

vji

W.P.(MD)No.17932 of 2022

28.03.2023