



W.P(MD)No.19115 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19115 of 2022
and
M.P.(MD)No.13957 of 2022

Ponraj

... Petitioner

Vs.

1.The Assistant Engineer,
TANGEDCO,
Gombai,
Theni District.

2.The Assistant Executive Engineer,
TANGEDCO,
Gombai, Uthamapalayam,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents to provide electricity connection to the petitioner's house situated in Survey No. 14-1-50/2, Devamar Street, 14th Ward, Kombai Town, Uthamapalayam, Theni District.

For Petitioner : Mr.K.Navaneetharaj

For Respondents : Mr.S.Deenadhayalan
Standing Counsel



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ORDER

Heard both sides.

2. The petitioner wants this Court to direct the respondents to provide him electricity service connection for the petition mentioned dwelling house. The petitioner is having decree in his favour.

3. My attention is drawn to the decree dated 29.11.2010 made in O.S.No. 190 of 2011 on the file of District Munsif Court, Uthamapalayam. Permanent injunction has been granted in petitioner's favour as against the two private respondents. It was a contested suit. Though the suit was filed in 2011, the decree came to be passed only in the year 2016. It is stated that appeal has been filed. But interim order has not been obtained in the pending first appeal A.S.No.2 of 2017 on the file of the Sub Court, Uthamapalayam. The respondents are directed to issue notice to the defendants in the said suit / appellants in the appeal stating that if within a period of six weeks, the defendants in the suit are unable to obtain any interim order in their favour, the respondents would give service connection to the petitioner. The respondents shall act accordingly. The respondents are also directed to avail police assistance in the event of giving service connection to the petitioner.



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4. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

13.10.2023

Index : Yes / No
Internet : Yes/ No
Rmi



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G.R.SWAMINATHAN, J.

Rmi

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