



W.P.(MD).No.19136 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.19136 of 2020
and
W.M.P.(MD).No.16006 of 2020

U.Rajendran

... Petitioner

Vs

- 1.The Superintending Engineer (O&M),
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Madurai Division,
TNEB Complex, Race Course Road,
K.Pudur,
Madurai.
- 2.The Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
TNEB Complex,
Dindigul Main Road,
Samayanallur,
Madurai District – 625 402.
- 3.The Assistant Engineer (O&M),
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Sholavandan,
Madurai District.



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4.K.Muthu

5.Muthukumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's notices dated 25.09.2020 and 05.12.2020, to not to provide new electricity connection to the fourth respondent during pendency of the civil suit in I.A.No.347 of 2017 in O.S.No.106 of 2017 on the file of the learned District Munsif Court, Vadipatti.

For Petitioner : Mr.S.Vikram

For R-1 to R-3 : Mr.S.Deenadhayalan,
Standing Counsel.

For R-4 and R-5 : No Appearance

ORDER

This Writ Petition is filed for Mandamus, directing the respondents 1 to 3 to consider the petitioner's notices dated 25.09.2020 and 05.12.2020 with regard to not providing new electricity connection to the fourth respondent during pendency of the civil suit in I.A.No.347 of 2017 in O.S.No.106 of 2017 on the file of the learned District Munsif Court, Vadipatti.



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2. This Writ Petition is filed on 14.12.2020. Exactly on the same day, the respondents have effected service connection on 14.12.2020. Once the electricity is granted, the same cannot be disconnected and the power to disconnect is limited. It is seen that civil case is pending between the petitioner and the respondents. It is settled proposition that granting electricity connection will not confer title. Therefore, this Court is of the considered opinion that the electricity connection granted to the fourth respondent would be subject to the result of the suit.

3. With the above observation and direction, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.09.2023

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

Nsr



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S.SRIMATHY, J

Nsr

Order made in
W.P.(MD).No.19136 of 2020

14.09.2023