



W.P(MD)No.4035 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4035 of 2022

Selvaraj

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Dindigul, Dindigul District.

2.The Thasildar,
Office of the Thasildar,
Vedasandur,
Dindigul District.

3.The Junior Electrical Engineer,
Office Junior Electrical Engineer,
Tamil Nadu Power Generation and
Distribution Corporation,
Eriodu, Dindigul 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 Respondent No.3 not to provide electricity connection to the properties at Survey Nos.405/2, 407/2 and 408/1 in Patta No.528, Nallamanarkottai Village, Vedasandur Taluk, Dindigul District till disposal of the



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O.S.No.96 of 2020 on the file of the Learned District Munsif Court, Vedasandu by considering petitioner's representation dated 30.08.2021 in accordance with law within time stipulated by this Court.

For Petitioner : Mr.R.Rajaselvan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.
Mr.S.Deenadhayan,
Standing Counsel for R3.

ORDER

Heard the learned counsel on either side.

2.One Ravichandran had applied for electricity service connection for the petition mentioned land. The petitioner has filed this writ petition for forbearing TANGEDCO from doing so till the issue of legal heirship is decided in O.S.No.96 of 2020 on the file of Principal District Munsif Court, Vendasandur.

3.The Hon'ble Apex Court in the decision reported in **AIR 1952 SC 12 (State of Orissa Vs. Madan Gopal Rungta)** had held



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that

Article 226 of the Constitution of India cannot be used for

the purpose of giving interim relief as the only and final relief. The writ petition is not maintainable. However, the learned standing counsel informs the Court that the applicant himself has withdrawn his application. Therefore, the issue has become infructuous. If any fresh cause of action arises, it will be open to the petitioner herein to move this Court for appropriate relief.

4. With this liberty to the petitioner, this writ petition is disposed of.

No costs.

03.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1. The District Collector,
Office of the District Collector,
Dindigul, Dindigul District.

2. The Thasildar,
Office of the Thasildar,
Vedasandur,
Dindigul District.

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G.R.SWAMINATHAN, J.

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