



W.P.(MD)No.19285 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 19285 of 2020

M.Justin Rani Peter

... Petitioner

Vs.

- 1.The Superintending Engineer,
TamilNadu Generation and Distribution Corporation,
Parvathipuram,
Nagercoil
- 2.The Executive Engineer,
Distribution,
Tamilnadu Generation and Distribution Corporation,
Thakkalai,
Kanyakumari District.
- 3.The Assistant Executive Engineer,
Distribution,
Tamilnadu Generation and Distribution Corporation,
Eraniel,
Kanyakumari District.
- 4.The Junior Engineer,
Distribution-I,
Tamilnadu Generation and Distribution Corporation,
Colachel, Kanyakumari District.



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5.J.Micheal Raj

..., Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus or any other order in the nature of writ directing respondents 1 to 4 to disconnect the electric connection vide SC No. 072-172-004-507 provided to the building in existing Door No.3-87A4 situated in RS.No.129/10C of Colachel Village, Kalkulam Taluk, Kanyakumari District.

For Petitioner : Mr. C.T.Perumal

For Respondents : Mr. S.Deenadhayalan
Standing Counsel for R1 to R4

Mr.J.John Jayakumar, for R5

ORDER

This writ petition is filed seeking direction to the respondents 1 to 4 to disconnect the electric connection vide SC No.072-172-004-507 provided to the building in Door No.3-87A4 situated in RS.No.129/10C of Colachel Village, Kalkulam Taluk, Kanyakumari District.



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2. Heard Mr. C.T.Perumal, the Learned counsel appearing for the petitioner, Mr. S.Deenadhayalan, the Learned Standing Counsel appearing for the respondents 1 to 4, Mr.J.John Jayakumar, the Learned Counsel appearing for the 5th respondent and perused the material documents available on record.

3. The petitioner and the 5th respondent are Co-brothers. The petitioner claims that he is owner of the property. Admittedly, there are number of suits pending before the appropriate Civil Courts between the petitioner and the 5th respondent. Pending writ petition, the Pollution Control Board has issued notice to disconnect the service connection. Based on the said notice, the respondents 1 to 4 had already disconnected the service and still in disconnection only.

4. Therefore, the prayer sought for in the writ petition is already granted by the respondents based on the Pollution Control Board notice. The rights of the parties will be determined based on the Judgment in the suit.



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5. With these observations, this Writ Petition is disposed of. No

Costs.

Index : Yes / No
Internet : Yes
ksa

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Kanyakumari District.
- 3.The Assistant Executive Engineer,
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S.SRIMATHY. J

ksa

**Order made in
W.P.(MD)No. 19285 of 2020**

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