



W.P.(MD)No.18786 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.18786 of 2014
and M.P.(MD)No.1 of 2014

N.Chandra

... Petitioner

versus

1. The Executive Engineer (O&M)
Tamil Nadu Generation and
Distribution Corporation,
Mettupatti, Power House Musiri,
Musiri Taluk,
Trichy District.
2. The Assistant Divisional Engineer (O&M) North,
Tamil Nadu Generation and Distribution Corporation,
Power House, Oorakkarai Post,
Musiri Taluk,
Trichy District.
3. The Assistant Engineer (O&M) South,
Tamil Nadu Generation and Distribution Corporation,
Thathaiengarpettai, Musiri Taluk,
Trichy District.

4. Rajamanickam

... Respondents



W.P.(MD)No.18786 of 2014

WEB COPY Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the proceedings of the 1st respondent in க.எண்.செ.பொ./இ.கா./மு./தொ.து.உ./கோ.விவசாயம்/அ.எண்.86/14-15 dated 01.11.2014 and quash the same as of legal consequence and direct the respondents 1 to 3 to give electric connection to the petitioner's property comprised in S.F.No.546/2 at Jambumadai Village, Musiri Taluk, Trichy District.

For Petitioner : Mr.M.Balakrishnan
For R1 to R3 : Mr.S.Dheenadhayalan
Standing Counsel for TNEB
For R4 : Mr.K.Govindarajan

ORDER

This writ petition is filed as against the proceedings of the 1st respondent dated 01.11.2014, rejecting the request of the petitioner for giving electricity service connection in her land comprised in S.F.No. 546/2 at Jambumadai Village, Musiri Taluk, Trichy District

2. The learned counsel appearing for the petitioner submits that the petitioner is the owner of the land in Survey No.546/2 situated at



W.P.(MD)No.18786 of 2014

Jambumadai Village, Musiri Taluk, Trichy and she has mortgaged the said land with one Ramasamy Chettiar. Since she failed to pay the mortgage amount, the mortgagee has brought the land for court auction and the 4th respondent has purchased the said land in the court auction. He further submits that the petitioner has deposited the mortgage amount and also filed an application in E.A.No.168 of 1998 before the learned District Munsif, Musiri, to set aside the Court auction and also for redemption of mortgage. However, the said application was dismissed by the Executing Court by order dated 20.12.2002. As against the same, she also preferred a Civil Miscellaneous Appeal in C.M.A.No.4 of 2003 before the II Additional Sub Court, Tiruchirappalli and the same was also dismissed by order dated 31.01.2018. Aggrieved over the same, the petitioner has also preferred CMSA before this Court and the same is pending in CMSA No.2 of 2023.

3. The learned counsel appearing for the respondents 1 to 3



W.P.(MD)No.18786 of 2014

submits that the petitioner has approached the TANGEDCO seeking grant of service connection in her name in the above said land and the said request was rejected by referring the litigations between the petitioner and the 4th respondent.

4. In view of the fact that the petitioner has filed CMSA No.2 of 2023 challenging the dismissal order passed in CMA No.4 of 2003 and the same is pending before this Court, this writ petition is dismissed. The petitioner is at liberty to submit a fresh representation to the TANGEDCO depending upon the outcome of CMSA No.2 of 2023 which is pending before this Court. No costs. Consequently, connected miscellaneous petition is closed.

10.04.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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W.P.(MD)No.18786 of 2014

B.PUGALENDHI, J.

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