



W.P.(MD)No.20184 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20184 of 2015

1.K.Veerammal
2.D.Udhayarani

... Petitioners

Vs.

1. The Assistant Engineer,
TANGEDCO (Rural),
Elumalai,
Perayoor Taluk,
Madurai District

2.Shanthi

3.Prabhakaran

4.Seeniammal

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari calling for the records relating to impugned order passed by the first respondent in his



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proceedings Ka.No. U.Mi.Po/Oo/Elu/Ko.Vi.Va/Aa.No.326/14 dated 17.02.2014 and quash the same as illegal.

For Petitioners : Mr.D.Malaichamy
For R2 to R4 : Mr.A.Haja Mohideen
For R1 : Mr.S.Dheenadhayalan

ORDER

This Writ Petition has been filed for issuance Writ of Certiorari to quash the impugned order passed by the first respondent in his proceedings Ka.No. U.Mi.Po/Oo/Elu/Ko.Vi.Va/Aa. No.326/14 dated 17.02.2014.

2. The petitioners are the daughters of one Parukkaveera Thevar of Kondaginayakkanpatty Village. The petitioners' father obtained electricity service connection for Survey No.47/8 in S.C.No.45 and the respondents 2 and 3 are the sons and daughters of one Kasupandi, the brother of the petitioners. At request of the respondent 2 and 3, the first respondent shifted the electricity service connection in S.C.No.45 from



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Survey No.47/8 to another Survey No.27/4B and that was challenged in this Writ Petition.

3. A perusal of records would show that there is a property dispute between the petitioners and the respondents 2 to 4 and a suit for partition is also pending before the District Munsif cum Judicial Magistrate No.1, Usilampatti in O.S.No.102 of 2014 and the property in Survey No.47/8 and the Service Connection No. S.C.45 are the subject matters in the said suit and therefore, the petitioners and the respondents 2 to 4 shall work out their remedy in the pending partition suit.

4. Considering the fact that the suit is pending from the year 2014, this Court directs the learned District Munsif cum Judicial Magistrate No.1, Usilampatti to dispose of the suit in O.S.No.102 of 2014 as expeditiously as possible preferably within a period of 6 months from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

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