



W.P.(MD)No.20917 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20917 of 2021

R.Packiam

... Petitioner

-VS-

- 1.The Superintending Engineer,
Office of the Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Thoothukudi, Thoothukudi District.
- 2.The Assistant Engineer (Distribution),
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Pudukkottai, Thoothukudi Taluk and District.

3.T.Samuvel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the second respondent vide his proceedings in Ka.No.Oo.Mi.Po/Vi/P.Kottai/Va.Aa/Co.Kattu/A.No.222/21, dated 29.10.2021, quash the same and consequently, directing the respondents 1 and 2 to provide the Commercial Electricity Service Connection to the petitioner herein in respect of his premises comprised in Survey No.



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323/9A45, situated at Kumaragiri @ Pudukkottai, Thoothukudi Taluk and District, on the basis of his application dated 29.10.2021, within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran
For R1 and R2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 : Mr.S.Muthumalai Raja

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent, dated 29.10.2021 and for a consequential direction to the respondents 1 and 2 to provide commercial electricity service connection to the petitioner with respect to the subject property, by acting upon the application submitted by the petitioner, dated 29.10.2021.

2. Heard the learned counsel appearing on behalf of the petitioner, the learned Standing Counsel appearing on behalf of the respondents 1 and 2 and the learned counsel appearing on behalf of the third respondent.



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3. The impugned proceedings, dated 29.10.2021, was issued by the second respondent on the ground that there was a suit pending in O.S.No.10 of 2016 and hence, the petitioner was directed to approach the Department after conclusion of the proceedings.

4. When the matter was taken up for hearing today, it was brought to the notice of this Court that the suit has been disposed of by judgment and decree, dated 31.01.2023, by the learned Additional District Munsif, Thoothukudi. The learned Standing Counsel appearing on behalf of the respondents 1 and 2 submitted that the application submitted by the petitioner was cancelled on 16.11.2021.

5. In the light of the above development, it is left open to the petitioner to make a fresh online application before the second respondent and the second respondent shall act upon the same after hearing the objections of the third respondent. A decision shall be taken by the second respondent within a period of four weeks from the date of submission of the online application by the petitioner.



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6. This Writ Petition is disposed of in the above terms. No costs.

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NCC : Yes/No
Index : Yes/No
smn2

16.11.2023

To

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N.ANAND VENKATESH, J.

smn2

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