



W.P(MD)No.23545 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23545 of 2022

P.Manmathan

... Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd.,
TANGEDCO,
Theni District.

2.The Assistant Executive Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd.,
TANGEDCO,
Periyakulam, Theni District.

3.Rajendran

... 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 respondents no. 1 and 2 herein to include the petitioner's name in the existing Electricity Service Connection no. 293 meant for his agricultural lands in Survey nos. 1470/2, 1470/3 and 1473/2 situated at Devathanampatti Village Bit -II, Periyakulam Taluk, Theni District on the basis of his representation dated 20.11.2021 within a time stipulated by this Court.

For Petitioner : Mr.J.Lawrence



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For Respondents : Mr.S.Deenadhayalan
Standing Counsel for R1 & R2

: Mr.R.Balakrishnan for R3

ORDER

Heard both sides.

2. Patta in respect of the petition mentioned land stood in the name of the petitioner. It was cancelled by the Tahsildar, Periyakulam at the instance of Rajendran / 3rd respondent herein. Challenging the same, the petitioner filed W.P.(MD)No.22288 of 2021. The writ petition was allowed on 14.09.2023. Taking advantage of the order dated 09.07.2021 passed by the Tahsildar, Periyakulam, the third respondent got electricity connection changed in his name. Since the writ petition itself had been allowed, the petitioner wanted to include his name also. When the writ petition was taken up for hearing on the last occasion, the learned counsel for the third respondent submitted that the third respondent has filed W.A.(MD)No.1899 of 2023. I made it clear that I would allow the writ petition if the third respondent is unable to get any interim order in the writ appeal. To enable the third respondent to do so, the writ petition was adjourned.



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3. Today, when the matter was taken up for hearing, it is submitted by the learned counsel on either side that the Hon'ble Division Bench had only ordered notice in the writ appeal and that no interim order had been granted.

4. In these circumstances, R1 & R2 will have to be necessarily directed to include the petitioner's name in the petition mentioned electricity service connection. R1 & R2 shall do so within a period of three weeks from the date of receipt of a copy of this order. I make it clear that this will abide by the outcome of W.A.(MD)No.1899 of 2023. In other words, if the third respondent succeeds in the writ appeal, the benefit conferred by this order will get automatically vacated without further notice.

5. The Writ Petition is allowed on these terms. No costs.

31.10.2023

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

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