



WP(MD)No.15021 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Aruna

... Petitioner

v.

1.The Executive Engineer,
Operation and Maintenance,
TANGEDCO, Palani.

2.The Assistant Executive Engineer (Town),
TANGEDCO, Palani.

3.The Assistant Electrical Engineer,
TANGEDCO,
Neikarapatti, Palani.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the third respondent to effect change of electricity service connection of the petitioner in the common pathway by erecting necessary electricity pole in electricity service connection No.293-001-2310 as per the proceedings of the third respondent in க.எண்.உ.மி.பொ/நெ.பட்டி/வ.ஆ./கோ.க/அ/எண்.082/16 dated 22.06.2016.



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For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel

ORDER

This writ petition is filed for a mandamus directing the third respondent to effect the service connection through the common pathway.

2.Learned Standing Counsel for the respondents submitted that the application of the petitioner was considered and necessary fee for erecting poles was also received. At the time of erecting the poles, some third parties have raised objections and have also filed a suit in O.S.No.127 of 2016 before the District Munsif Court, Palani. In view of the suit filed by the third parties and on the objections raised, the respondents have not proceeded further on the application of this petitioner.

3.Learned Counsel for the petitioner submitted that the details with regard to the objections raised by the third parties have not been furnished by the Electricity Board to this petitioner. However, the so called third parties,



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one Sumathi and others, have filed a suit as against this petitioner in O.S.No. 127 of 2016 before the District Munsif Court, Palani and the said suit was dismissed by the learned District Munsif by judgment and decree dated 21.12.2022.

4.This Court considered the rival submissions made on either side and perused the available materials.

5.The respondents claim that in view of the objections raised by some third parties, they have not effected the service connection. They admitted that they have collected the necessary charges from the petitioner and the only impediment, as projected by the respondents, is that a civil suit was pending in O.S.No.127 of 2016. The said suit has now been dismissed by the competent Court on 21.12.2022.

6.In view of the same, this writ petition stands disposed of, with a direction to the respondents to consider the application of the petitioner and proceed further by passing appropriate orders, within a period of eight weeks



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B.PUGALENDHI, J.

gk

from the date of receipt of a copy of this order. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
gk

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