



W.P(MD)No.4212 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.4212 of 2016

M.Senthilkumaran

...Petitioner

Vs

1.The Superintendent Engineer,
Tamil Nadu Electricity Board,
Madurai Electricity Distribution Circle,
Madurai.

2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Alwarnagar,
Madurai.

3.S.Muthuvel

...Respondents

(R3 is impleaded vide Court order dated 12.04.2016 in WMP(MD) No.5024 of 2016 by BRJ)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide three phase electricity connection for the residential building of the petitioner comprised in Door No.5/69, Melatheru, Nagamalaipudukottai, Madurai District forthwith.



W.P(MD)No.4212 of 2016

For Petitioner : No appearance
For R1 & R2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 : No appearance

ORDER

This writ petition is filed for a Mandamus directing the respondents to provide three phase electricity service connection for the residential building of the petitioner comprised in Door No.5/69, Melatheru, Nagamalaipudukottai, Madurai District.

2.The case of the petitioner is that the petitioner has applied for supply of a three phase electricity service connection for his residential building in Door No.5/69, Melatheru, Nagamalaipudukottai, Madurai District on 09.12.2015. However, the respondent Board refused to effect the service connection on the ground that one Muthuvel, the third respondent herein has filed a suit in O.S.No.41 of 2016 before the District Munsif Court, Thirumangalam, for the relief of permanent injunction. The grievance of the petitioner is that though there is a common pathway



W.P(MD)No.4212 of 2016

WEB COPY

to bring the wires to the petitioner's house is available, the respondent Board has not taken any steps. Hence, this petition.

3.Today(05.06.2023), when this writ petition is taken up for hearing, there is no representation for the petitioner.

4.The learned Standing Counsel appearing for the respondent Board submits that the petitioner has submitted a representation for effecting three phase service connection and it is not effected in view of the objections raised by the third respondent for taking the poles through his land. He further submits that the third respondent has also filed a suit in O.S.No.41 of 2016 before the District Munsif Court, Thirumangalam as against the petitioner.

5.Heard the learned Standing Counsel for the respondent Board.



W.P(MD)No.4212 of 2016

WEB COPY

6. When the petitioner approached the respondent Board seeking three phase connection for his residence, the respondent Board rejected the request of the petitioner at the instance of the objections raised by the third respondent and they have also taken a stand that the third respondent has filed a suit. The TANGEDCO cannot simply reject the request of the petitioner that the third respondent has objected for taking poles through his land. If the third respondent has obtained any decree in the civil Court, the TANGEDCO shall arrange any alternative route for effecting service connection to the petitioner.

7. Accordingly, this writ petition is disposed of. No costs.

05.06.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

vrn



W.P(MD)No.4212 of 2016

To
WEB COPY

- 1.The Superintendent Engineer,
Tamil Nadu Electricity Board,
Madurai Electricity Distribution Circle,
Madurai.
- 2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Alwarnagar,
Madurai.



WEB COPY



W.P(MD)No.4212 of 2016

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.4212 of 2016

05.06.2023