



W.P(MD)No.26754 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26754 of 2023

and

W.M.P(MD)No.23002 of 2023

Ammaipathevar Hereditary Thiruppani Committee,
Sri Anna Vinayagar Temple, Arasakulam,
Represented by its President C.Namasivayam,
S/o.Chinnayathevar,
Thiruvirundhalpuram, Arasakulam,
Kurandi Post, Kariapatti Taluk,
Virudhunagar District.

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar – 626 001.
- 2.The Revenue Divisional Officer,
Aruppukottai – 626 101,
Virudhunagar District.
- 3.The Tahsildar,
Kariapatti Taluk,
Kariapatti – 626 106,
Virudhunagar District.



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4.The Village Administrative Officer,
Arasakulam Village,
Kariapatti Taluk,
Virudhunagar District.

5.The President,
Arasakulam Village Panchayat,
Kariapatti Taluk,
Virudhunagar District.

6.The Assistant Engineer (Distribution),
Tamil Nadu Generation and Distribution
Corporation,
Kariapatti South,
Virudhunagar District.

7.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation,
Kariapatti,
Virudhunagar District.

8.The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation,
Aruppukottai,
Virudhunagar District.

9.S.Veluchamy ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned communication Ka.No.U.Mi.Po./Pa/South/Kari/Pu.Manu Pathil/A No. 255/2023 dated 29.09.2023 issued by the sixth respondent and quash the same as void



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and illegal and consequently direct the 6th to 8th respondents to restore the name of the Electricity Service Connection No. 072 215 034 108 to its original name Muthukumar.

For Petitioner : Mr.D.Gurusamy

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 to R.5

Mr.S.Dheenadhayalan
Standing Counsel for R.6 to R.8

Mr.C.Godwin for R.9

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 5, the learned Standing Counsel appearing for TANGEDCO and the learned counsel appearing for the ninth respondent.

2. The case on hand pertains to the service connection effected in favour of a temple at Thiruvirundhalpuram, Arasakulam Village, Kariapatti Taluk, Virudhunagar District. The connection stood in the



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name of one Thiru.Muthukumar. He is no more. It has now been changed in favour of the temple itself. When the petitioner sought for clarification from the authorities, the impugned communication dated 29.09.2023 was sent. Challenging the same, the present writ petition came to be filed.

3. The learned counsel appearing for the petitioner drew my attention to the order dated 24.03.2023 in W.P(MD)No.3091 of 2023. It is seen that there is a factional dispute with regard to the management of the temple. A learned Judge of this Court vide order dated 24.03.2023 disposed of the writ petition with an advice to the parties to resolve the issues on their own or move the jurisdictional civil Court for relief.

4. The argument of the learned counsel appearing for the petitioner is that when once a direction has been given for moving the jurisdictional civil Court, it was not open to the TANGEDCO officials to unilaterally change the name of the service connection. According to the counsel, the status quo could have been allowed to continue. He called upon this



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Court to set aside the impugned communication and grant relief as prayed for.

5. I am not persuaded by the submissions of the learned counsel for the petitioner. This is primarily because the name change does not affect the rights of any of the parties. Admittedly, Thiru.Muthukumar in whose name the service connection stood is no more. The service connection normally cannot be allowed to stand in the name of a dead person. It is seen from the impugned communication that service connection will now stand only in the name of “Anna Vinayagar Kovil”. TANGEDCO officials have not included name of any individual as representing the temple. Therefore, the petitioner need not have any grievance. I make it clear that the name change will not in any way strengthen the hands of any party or weaken the hands of the writ petitioner. The issues that may be outstanding between the parties will have to be resolved only before the jurisdictional civil Court and the name change will not have any bearing on the proceedings that may be initiated by either of the parties.



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6. With this observation, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.11.2023

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

To

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Aruppukottai – 626 101,
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- 3.The Tahsildar,
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Kariapatti – 626 106,
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- 4.The Village Administrative Officer,
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Kariapatti Taluk,
Virudhunagar District.
- 5.The President,
Arasakulam Village Panchayat,
Kariapatti Taluk, Virudhunagar District.

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G.R.SWAMINATHAN, J.

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