



W.P.No.12849 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.12849 of 2021
and
W.M.P.No.13649 of 2021

C.Balashanmugham

...Petitioner

-Vs-

1. The Superintending Engineer,
Coimbatore Electricity Distribution Circle/South,
TANGEDCO,
Coimbatore.
2. The Executive Engineer/O & M,
Coimbatore Electricity Distribution Circle/South,
TANGEDCO,
Coimbatore.

3. R.Geetha

4. V.Yamuna

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the 1st and 2nd respondent from granting new agricultural service connection based on the 3rd respondent's application dated 09.11.2019, in S.F.No.395/1, without the consent of its Co-owners as mandated in Regulations 27(2)



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Form 2 of Annexure III of the Tamil Nadu Electricity Distribution Code, 2004 and also direct the 1st and 2nd respondent to disconnect the LT SC No.733TFIV100HP granted to the 3rd respondent in S.F.No. 407 without the consent of the Co-owners which is contrary to Regulations 27(2) Form 2 of Annexure III of the Tamil Nadu Electricity Distribution Code 2004.

For Petitioner : Mr.R.S.Pandiyaraj

For R1 & R2 : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, forbearing the 1st and 2nd respondents from granting new agricultural service connection based on the 3rd respondent's application dated 09.11.2019, in S.F.No.395/1, without the consent of its Co-owners as mandated in Regulations 27(2) Form 2 of Annexure III of the Tamil Nadu Electricity Distribution Code, 2004 and also direct the 1st and 2nd respondent to disconnect the LT SC No.733TFIV100HP granted to the 3rd respondent in S.F.No. 407 without the consent of the Co-owners which is contrary to Regulations 27(2) Form 2 of Annexure III of the Tamil Nadu Electricity Distribution Code 2004.



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2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents 1 and 2 and perused the materials available on record.

3. It is seen that pending writ petition, the respondents 3 and 4 were provided with electricity connection by the second respondent. Therefore, the prayer sought for in this writ petition become infructuous.

4. However, the learned counsel for the petitioner would submit that already the suit is pending in respect of title of the property in O.S.No.490 of 2014, on the file of the I Additional District Court, Coimbatore. Therefore, subject to the outcome of the civil suit, the petitioner can seek appropriate remedy before the second respondent for cancellation of the electricity service connection provided in favour of the respondents 3 and 4, in the manner known to law.



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mn

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