



W.P. No.23520 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2024

CORAM:

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P. No.23520 of 2021

and

W.M.P. No.24747 of 2021

A. Palani

.... Petitioner

VS.

1. The Junior Engineer
Operation and maintenance
TANGEDCO,
Nagarasampatti
Krishnagiri District.

2. The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

3. Pradeep

4. Praveen

... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Certiorarified Mandamus to call for the records in Ka.No.ENeePo/EPa/ Na.Patti/Ko. Thani/No.66/2021, dated 16.09.2021 passed by the first respondent herein and quash the same as illegal and further direct the first respondent to give Domestic electric energy to the petitioner's house at Periyakaradiur village & Post, Krishnagiri District in Survey No.377/7A, forthwith to secure the ends of justice.



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For Petitioner : Mr.R.Sankarasubbu

For Respondent 1 : Mr.S. Madhusudhanan,
Standing Counsel

For Respondent 2 : Mr.P. Sanjay Gandhi,
Govt. Advocate

For Respondent 3 & 4 : Mr.V. Nicholas

ORDER

This writ petition has been filed challenging the order passed by the 1st respondent dated 16.09.2021 thereby informed its inability to provide electricity service connection to the petitioner's house.

2. The petitioner is the owner of the house at Periyakaradiur Village, Krishnagiri District comprised in S.No.377/7A. After constructing the house, the petitioner applied for domestic electricity service connection to his house. The petitioner also paid all requisite fees and erection of poll charges. After erecting the electric poll when the first respondent about to process the electricity service connection, the respondents 3 and 4 were prevented the first respondent for providing electricity service connection. That apart, they had shown that the civil suit is pending between the 3rd and 4th respondents and the petitioner herein.



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3. On perusal of the impugned order in this writ petition dated 16.09.2021 revealed that the respondents 3 and 4 herein came to the petitioner's house and attempted to commit suicide by pouring kerosene in his body and threatened to commit suicide. Therefore, the respondent stopped to provide electricity service connection to the petitioner's house.

4. The learned counsel for the Respondents 3 and 4 filed counter and submitted that the petitioner and they also filed a civil suit in O.S.No.68 of 2021 on the file of the District Munsif Court, Pochampalli for permanent injunction from restraining the 1st respondent herein from laying any electricity line over the suit property. The said suit is pending without any interim order. Therefore this petitioner is directed to suggest alternative route to draw electricity line and on payment of necessary charges, the first respondent is directed to provide electricity service connection to the petitioner's house within a period of four weeks from the date of receipt of copy of this order. It is also made clear that the respondents 3 and 4 are directed to not to interfere while the first respondent in process for providing electricity service connection to the petitioner's house.



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Consequently, connected miscellaneous petition is closed. No costs.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

gvn



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To

1. The Junior Engineer
Operation and maintenance
TANGEDCO,
Nagarasampatti
Krishnagiri District.

2. The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.



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G.K. ILANTHIRAIYAN, J.

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