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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.08.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.24087 of 2024
and WMP.No.26336 of 2024

M.Faslur Rahman

... Petitioner

Vs.

1. The District Collector,
Erode District.

2. The Zonal Deputy Tahsildar,
Gobichettipalayam, Erode District.

3. The Assistant Executive Engineer,
TANGEDCO, Gopichettipalayam,
Erode District.

4. Prabhu

5. Rameshkumar

6. Vijayalakshmi

7. V.C.Palanichamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, Direct the third respondent to annul the name change of Electricity connection No.0430600144 in favour of respondents 4 to 7 for the property situated at Old SF No.49/A, Ward No.14, TS No.28 and 29 at



Veerapandi Village, Gobichettipalayam Taluk, Erode District and consequentially, direct the respondents 1 to 3 not to disconnect or disturb the Electricity connection No.0430600144 for the petitioners property situated at Old SF No.49A, Ward No.14 , TS No.28 and 29 at Veerapandi Village, Gobichettipalayam Taluk, Erode District.

For Petitioner : Mr.Eswar

For M/s. Kumar and Law Firm

For Respondents : Mr.J.Ranjith Kumar RR4 to 7

Mr.Yokesh Kannadasan, SGP RR1 & 2

Mr.I.Sued Sibghatulla R3

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to annul the name change of Electricity connection No.0430600144 in favour of respondents 4 to 7 for the property situated at Old SF No.49/A, Ward No.14, TS No.28 and 29 at Veerapandi Village, Gobichettipalayam Taluk, Erode District and consequentially, direct the respondents 1 to 3 not to disconnect or disturb the Electricity connection No.0430600144 for the petitioners property situated at Old SF No.49A, Ward No.14 , TS No.28 and 29 at Veerapandi Village, Gobichettipalayam Taluk, Erode District.

2. There was a land dispute between the petitioner and the private



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respondents, for which, the petitioner has filed a suit before the III Additional District Court, Gobichettipalayam in O.S.no.482/2022 for declaration and permanent injunction and the same is pending. In the meantime, the private respondents have sold the property to one Kanchana. Therefore. The petitioner submitted a representation to the third respondent not to change the name in EB records. Without considering the representation, the third respondent issued order or change of name in EB records. Challenging the same, the petitioner has filed the present writ petition seeking appropriate remedy.

2. The learned counsel for the petitioner submitted that this Court may grant liberty to the petitioner to file an IA before the trial Court where the suit is pending. Till such time, this Court may direct the respondents not to disconnect the electricity service connection.

3. The learned Standing Counsel appearing for the respondents submitted that admitted the revenue records have mutated and as on date, the respondents have not not disconnected the electricity connection.

3. Considering the facts and circumstances of the case and in view of



the limited request sought for by the petitioner, this court permits him to file an IA before the trial Court where the suit is pending, within a period of two weeks from the date of receipt of a copy of this order. The respondents shall not disconnect the electricity connection for a period of two weeks.

With the above directions, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

21.08.2024

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To

1. The District Collector,
Erode District.

2. The Zonal Deputy Tahsildar,
Gobichettipalayam, Erode District.

3. The Assistant Executive Engineer,
TANGEDCO, Gopichettipalayam,
Erode District.

M.DHANDAPANI,J.

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