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W.P.No.32829 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.32829 of 2024

G.Palanisamy
...Petitioner

Vs.

1. The Assistant Engineer,
(Operation & Maintenance),
Namakkal electricity Distribution Circle,
Veppadai North, Kumarapalayam Taluk,
Namakkal District.
2. Mr.K.Palanisamy

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to effect change of Tariff form TF-VI to TF-I in respect of the electricity connection to the building of the petitioner bearing door No.60, Street-2, Valrasapalayam, WD No.15 of Padaiveedu Panchayat Union, Namakkal District processing the application of him bearing No.1510724408 dated 18.07.2024 addressed to him and to comply with the request made thereunder.

For Petitioner : M/s.A.Vinu Pradha



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for Mr.R.Ashraf Khan

For R1 : Mr.S.Kalaiselvan
Standing Counsel

ORDER

The petitioner herein seeks a direction to the first respondent to effect change of Tariff form TF-VI to TF-I in respect of the electricity connection to the building of the petitioner bearing door No.60, Street-2, Valrasapalayam, WD No.15 of Padaiveedu Panchayat Union, Namakkal District by processing his application bearing No.1510724408 dated 18.07.2024.

2. By consent of both the learned counsel appearing for the petitioner as well as first respondent, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that he is the absolute owner of the building bearing door No.60 in the above mentioned place. It is the further case of the petitioner that the site of the building belonged to 14 persons



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including the petitioner. The petitioner demolished the old building and constructing a new building. Therefore, he submitted an application before the first respondent on 18.07.2024 seeking to change the electricity connection from TF-VI into TF-I. The said application has been opposed by the second respondent on the ground that in respect of the subject property, a Civil suit is pending in O.S.No.89 of 2021 on the file of the District Munsif Court, Kumarapalayam. Therefore, the application of the petitioner has not been considered by the first respondent. Therefore, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that the suit in O.S.No.89/2021 pertains to a property situated in survey No.396/8. However, the subject property is situated in Survey No.394/1. The respondent without taking into consideration the said fact unnecessarily delaying the process of the application. Therefore, the petitioner is before this Court.

5. Mr. S.Kalaiselvan, learned Standing Counsel, who takes notice for the first respondent would submit that the application of the petitioner would be considered on its own merits and appropriate orders will be passed.



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(Operation & Maintenance),
Namakkal electricity Distribution Circle,
Veppadai North, Kumarapalayam Taluk,
Namakkal District.

S. SOUNTHAR, J.

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