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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33869 of 2023
and
W.M.P.No.33715 of 2023

S.Thangavel

... Petitioner

Vs.

- 1.The Superintendent Engineer (O&M),
TANGEDCO,
Mettur EDC,
Mettur – 636 401
Salem District.
- 2.The Executive Engineer (O&M),
TANGEDCO,
V.N.Palayam, Sankari – 637 301
Salem District.
- 3.The Assistant Executive Engineer (O&M),
TANGEDCO,
Sankari West, Sanniyasipatty,
Sankari – 637 301
Salem District.
- 4.The Assistant Engineer (O&M),
TANGEDCO,
Pallakkapalayam Section Office,
Sankari Taluk, Salem District – 637 301.



5.The Tahsildar,
Sankari Taluk,
Sankari, Salem District.

6.The Village Administrative Officer,
Veerachipalayam & Post,
Sankari Taluk,
Salem District – 637 301.

7.O.Baskaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, abstaining from the respondents 1 to 4 to provide agriculture service connection to the 7th respondent in S.F.No.3/2B, Patta No.202, Veerachipalayam Village, Sankari Taluk, Salem District.

For Petitioner	: Mr.S.Kolandasamy
For R1 to R4	: Mr.I.Syed Sibghatulla Standing Counsel [TANGEDCO]
For R5 & R6	: Mr.N.Naveen Kumar Government Advocate
For R7	: Mr.K.Selvaraj



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ORDER

The relief sought for in the present writ petition is to restrain the respondents 1 to 4 to provide agriculture service connection to the 7th respondent in S.F.No.3/2B, Patta No.202, Veerachipalayam Village, Sankari Taluk, Salem District.

2. Learned counsel for the petitioner would mainly contend that the petitioner is the co-owner in respect of the subject property and without getting consent, the 7th respondent submitted an application seeking agricultural Electricity Service Connection. There are other co-owners and therefore, Electricity service connection cannot be provided.

3. The ground raised by the petitioner requires an adjudication, which is of civil nature. The rights of the parties are to be crystallised only through the Competent Civil Court of Law.

4. As on today, the authorities of the Electricity Department have to consider the application as per the regulations and under the terms and conditions of the schemes for providing agricultural electricity service



connection. If at all the petitioner is aggrieved on account of the application submitted by the 7th respondent, he is at liberty to approach the Competent Civil Court of Law for the purpose of establishing his civil rights or to secure an appropriate interim relief as the case may be.

5. With this liberty, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

05.04.2024

Jeni
Index : Yes
Speaking order / Non-speaking order
Neutral Citation : Yes

To

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Salem District.
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- 3.The Assistant Executive Engineer (O&M),



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S.M.SUBRAMANIAM, J.

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