



W.P.(MD)No.10230 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.10230 of 2024

Suriyadeepan

... Petitioner

Vs

1. The Additional Executive Engineer,
TANGEDCO, Near Manimandapam,
Pudukkottai Road, Thanjavur.

2. The Assistant Executive Engineer,
TANGEDCO/West Region, Operation and Maintenance,
E.B.Colony, Nanjikottai Road, Thanjavur.

3. Selvaraj

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent in Ka.No.U.Po/E and Para / West / Thanjai/ Ko.Nakariyam/A.No.012/24, dated 12.04.2024 and quash the same and consequently direct the 2nd respondent to provide Electricity Connection in S.No.202/5, situated at Mathakottai, Nanjikottai Taluk, Thanjavur District.



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For Petitioner : Mr. G.Karnan
For Respondents : Mr.S.Deenadhayalan (R1,R2)
Standing Counsel
Mr.A.Senthilkumar (R3)

ORDER

This Writ Petition has been filed challenging the impugned order passed by the 2nd respondent in Ka.No.U.Po/E and Para / West / Thanjai/ Ko.Nakariyam/A.No.012/24, dated 12.04.2024 and direct the 2nd respondent to provide Electricity Connection in S.No.202/5, situated at Mathakottai, Nanjikottai Taluk, Thanjavur District.

2.Heard the learned counsel appearing for the petitioner, learned Standing Counsel appearing for the respondents 1 & 2 and the learned counsel for the 3rd respondent.

3. The petitioner's case is that he is a tenant with the third respondent. There is a dispute between the petitioner and the 3rd respondent. In this regard, a suit in O.S.No.81 of 2021 is also pending between the parties. To provide electricity connection, No-objection certificate is required by the respondents. At



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this stage, the third respondent is not willing to give No-objection certificate.

However, the petitioner is ready to give indemnity bond.

4.The learned counsel for the third respondent submitted that the petitioner is not paying the rent regularly. In this regard, he has filed a petition in R.L.T.O.P.No.14 of 2021 before the Additional District Munsif Court, Thanjavur and a suit in O.S. No.386 of 2024 before the Additional Sub Court, Thanjavur and the same are pending. Hence, prays to dismiss the petition.

5.It is seen that the subject property is in possession of the petitioner is not disputed by the parties. Admittedly, the civil suit is pending between the parties for eviction. At this stage, issuance of no objection certificate from the 3rd respondent cannot be accepted.

6.Considering the aforesaid facts, the petitioner has to execute indemnity bond before the respondents 1 and 2 to provide electricity connection. Further, the petitioner shall deposit all the arrears of rent and to pay a sum of Rs. 10,000/- (Rupees Ten Thousand only) per month to the credit of O.S.No.386 of 2024 on the file of Additional Sub Court, Thanjavur, without prejudice to his



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rights in the civil suit.

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7.It is made clear that the amount as ordered by this Court is not paid by the petitioner, the 3rd respondent shall approach this Court to initiate action against the petitioner. With the above direction, this writ petition stands disposed of. There shall be no order as to costs.

21.10.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1.The Additional Sub Judge, Thanjavur.

2. The Additional Executive Engineer,
TANGEDCO, Near Manimandapam,
Pudukkottai Road, Thanjavur.

3. The Assistant Executive Engineer,
TANGEDCO/West Region, Operation and Maintenance,
E.B.Colony, Nanjikottai Road, Thanjavur.



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N.SATHISH KUMAR, J.

PNM

ORDER IN

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