



W.P(MD)No.11699 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.11699 of 2021

and

W.M.P(MD)Nos.9202, 9203 and 13745 of 2021

R.Pitchai

: Petitioner

Vs.

1.The Superintending Engineer,
Distribution (Madurai Circle)
Tamil Nadu Generation and Distribution
Corporation Limited,
Race Course Road, K.Pudur,
Madurai 625 007.

2.The Executive Engineer,
Distribution,
Tamil Nadu Generation and Distribution
Corporation Limited,
Usilampatti, Madurai District.

3.The Assistant Executive Engineer,
Distribution,
Elumalai Sub.Division,
Tamil Nadu Generation and Distribution
Corporation Limited,
Elumalai, Madurai District.

4.Mariappan

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorarified Mandamus, to call for the records of the second respondent letter No.UchPo/Pa/Usilai/Tho.Nu.U/Ko.MThou/A.No.13w7/21, dated 23.06.2021 and quash the same as illegal and in consequence thereof direct the first respondent to permit the petitioner to use the electricity service connection in No.186005790 for the well situated S.No.159/3B in Mangalrave Village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr.P.Ganapathi Subramanian,

For Respondents : Mr.S.Deenadayalan, for R1 to R3.

: Mr.S.Bharathi, for R4.

ORDER

The Writ Petition has been filed seeking orders to issue a Writ of certiorarified Mandamus, to call for the records of the second respondent letter No.UchPo/Pa/Usilai/Tho.Nu.U/Ko.MThou/A.No.13w7/21, dated 23.06.2021 and quash the same as illegal and in consequence thereof direct the first respondent to permit the petitioner to use the electricity service connection in No.186005790 for the well situated S.No.159/3B in Mangalrave Village, Peraiyur Taluk, Madurai District.



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2. When the matter is taken up for hearing today (i.e., 24.06.2024), the learned counsel for the petitioner would submit that their attempt to reach the legal heirs of the deceased petitioner was of no use and hence, the writ petition may be closed by granting liberty to the legal heirs of the deceased petitioner to challenge the final order to be passed. He would further submit that the petitioner has only challenged the interdepartmental communication, dated 23.06.2021, recommending for disconnection of electricity service and even at the time of filing the writ petition, no final order has been passed and that time limit may be fixed to the second respondent to pass final order.

3. Considering the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner, learned Standing Counsel for the respondents 1 to 3 and the learned counsel for the private respondent, the second respondent is directed to give notice to the fourth respondent and also the legal heirs of the deceased petitioner and to proceed further in pursuance of the impugned communication, dated 23.06.2021 and pass final order within a period of 12 weeks from the date of receipt of copy of this order. The legal heirs of the deceased petitioner are at liberty to challenge the final order to be passed by the second respondent.



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4. With the above direction, this Writ Petition is disposed of.
Consequently, connected Miscellaneous Petitions are closed. No costs.

24.06.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das

To

- 1.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 2.The Inspector of Police,
Thirupathur Town Police Station,
Sivagangai District.
- 3.The Tahsildar,
Thirupathur Taluk,
Revenue Office of Thirupathur Taluk,
Thirupathur, Sivagangai District.
- 4.The Surveyor,
Pudhupatti Revenue Village,
Revenue Office of the Thirupathur Taluk,
Sivagangai District.



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W.P(MD)No.11699 of 2021

K.MURALI SHANKAR, J

DAS

Order made in
W.P(MD)No.11699 of 2021
and
W.M.P(MD)Nos.9202, 9203 and 13745 of 2021

Dated : 24.06.2024