



*W.P.(MD)No.7611 of 2019*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**Dated : 20.11.2024**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.7611 of 2019**

M.M.Manivel @ Manivelpandian

... Petitioner

Vs.

1.The Superintendent Engineer,  
Tamil Nadu Generation and Distribution Corporation,  
Thoothukudi,  
Thoothukudi District.

2.The Executive Engineer/Rural,  
Tamil Nadu Generation and Distribution Corporation,  
Thoothukudi,  
Thoothukudi District.

3.The Assistant Engineer,  
Tamil Nadu Generation and Distribution Corporation,  
Kulathoor,  
Vilathikulam Taluk,  
Thoothukudi District.

4.The Inspector of Police,  
Kulathoor Police Station,  
Vilathikulam Taluk,  
Thoothukudi District.

5.Sathyan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to erect pole through the land purchased by the petitioner in Survey No.



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276/8, Kulathoor Village, Vilathikulam Taluk, Thoothukudi District to the total extent of 7.2 cents vide registered settlement deed in document no. 993 of 2013 dated 27.03.2013 and registered sale deed in document No. 1776 of 2013, dated 29.05.2013 respectively and to provide electricity connection to petitioner's house in Door No.3/724/5, in Kulathoor Village with the help of the 4<sup>th</sup> respondent police.

For Petitioner : Mr.T.A.Ebenezer  
For Respondents 1 to 3 : Mr.S.Deenadhayalan  
Standing Counsel  
For 4<sup>th</sup> Respondent : Mr.K.Gnanasekaran  
Government Advocate (Crl)  
For 5<sup>th</sup> Respondent : Mr.R.J.Karthick

### **ORDER**

The prayer in the Writ Petition reads as follows:-

*“To issue a Writ of Mandamus, directing the respondents 1 to 3 to erect pole through the land purchased by the petitioner in Survey No.276/8, Kulathoor Village, Vilathikulam Taluk, Thoothukudi District to the total extent of 7.2 cents vide registered settlement deed in document no.993 of 2013 dated 27.03.2013 and registered sale deed in document No.1776 of 2013, dated 29.05.2013 respectively and to provide electricity connection to petitioner's house in Door No.3/724/5, in Kulathoor Village with the help of the 4<sup>th</sup> respondent police.”*

2.Heard the learned counsels on either sides and carefully perused the entire materials available on record.

3.The petitioner has made an application to the respondent



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authorities, requiring to draw electricity connection on the strength of sale deed bearing Document No.1776/2013, dated 29.05.2013, to his Door No.3/725/5 in Kulathoor Village, through the land in Survey No. 276/9 of Kulathoor Village. However, the petitioner's building stands in Survey No.276/8.

4.When the matter was taken up for hearing, the learned counsel appearing for the fifth respondent had filed a counter and relying upon the order passed by this Court in W.A.(MD)No.1056 of 2019 dated 22.10.2019, submitted that already the issue between the petitioner and the fifth respondent pertaining to the said land in Survey Nos.276/8 and 276/9, Kulathoor Village, has been dealt with in the aforesaid judgment passed by the Hon'ble Division Bench of this Court whether the Hon'ble Division Bench of this Court, has directed the parties concerned to agitate their title before the civil Court. So far, no civil case has been filed by the respective parties in this regard. In the meanwhile, the Writ Petition is filed by the petitioner, requiring to draw electricity line to a temporary shed, which has been constructed in the portion, which is claimed by the petitioner.

5.In view of the same, this Court is of the considered view that whenever there is dispute of fact, the appropriate remedy would lie before the jurisdictional Civil Court and the parties are hereby directed



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to settle their scores by approaching the concerned civil Court.

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6. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

**20.11.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Mrn

To

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Thoothukudi District.
2. The Executive Engineer/Rural,  
Tamil Nadu Generation and Distribution Corporation,  
Thoothukudi,  
Thoothukudi District.
3. The Assistant Engineer,  
Tamil Nadu Generation and Distribution Corporation,  
Kulathoor,  
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4. The Inspector of Police,  
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**L.VICTORIA GOWRI, J.**

Mrn

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