



W.P.(MD) No.1134 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.1134 of 2018

P.Sathiya Priya

... Petitioner

Vs.

1.The Assistant Executive Engineer,
Tamil Nadu Electricity Broad (TANGEDCO),
Arumuganeri - 628 202.
Thoothukudi District.

2. K.S.Deepa Sundaram

3.K.Navaneetha Pandian

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent not to provide the Electricity Service connection to the third respondent in respect of S.F.Nos.212/6 and 213/5 situated at Kandasamypuram Village, Thiruchendur Taluk, Thoothukudi District, by considering the petitioner's representation dated 07.12.2017, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.Ramsundarvijayraj
for M/s.Veera Associates

For R1 : Mr.S.Deenadhalayan
Standing Counsel



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ORDER

This Writ Petition has been filed for a Mandamus to direct the first respondent not to provide the Electricity Service connection to the third respondent in respect of S.F.Nos.212/6 and 213/5, situated at Kandasampuram Village, Thiruchendur Taluk, Thoothukudi District, by considering the petitioner's representation dated 07.12.2017.

2. The petitioner and the second respondent appear to be sister and brother and that there is a family dispute between them. According to the petitioner, the second respondent has unilaterally sold the property to the third respondent and that a suit is pending before the District Munsif Court, Tiruchendur, in O.S.No.185 of 2017.

3. The prayer of the petitioner to annul the rights of the third respondent without having the sale deed set aside in the manner known to law cannot be countenanced even if there is any illegality according to the petitioner. The sale in favour of the third respondent has to be set aside and thereafter, the petitioner can take steps to evict the third respondent from the property.



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4. Under these circumstances, this Writ Petition stands dismissed with liberty to the petitioner to pursue her remedy in O.S.No.185 of 2017 pending before the District Munsif Court, Tiruchendur. The learned District Munsif, Tiruchendur, is requested to expedite the proceedings. No costs.

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
smn2

26.07.2024

Copy to :- The District Munsif,
Tiruchendur.

To

The Assistant Executive Engineer,
Tamil Nadu Electricity Broad (TANGEDCO),
Arumuganeri - 628 202.
Thoothukudi District.



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C.SARAVANAN, J.

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