



W.P.(MD)No.22251 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2024**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.22251 of 2024

Vellaichamy

... Petitioner

Vs.

The Assistant Engineer,
TANGEDCO,
Panaikulam Village & Post,
Ramanathapuram District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to consider the representation dated 19.08.2024 of the petitioner.

For Petitioner : Mr.S.G.Rajkumar

For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed by the petitioner to direct the respondent to consider his representation, dated 19.08.2024.



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2. Heard Mr.S.G.Rajkumar, learned counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who takes notice on behalf of the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the subject property belongs to him, whereas some third parties have put up temporary structures in his land and also got electricity service connection in SC.Nos.310007625, 053100073341, 3600072260 and 3100072510. In this regard, on 19.08.2024, he gave a representation to the respondent to disconnect the electricity connection. But, no action has been taken. Hence, the petitioner is before this Court.

4. The learned Standing Counsel appearing for the respondent would submit that the said electricity service connection has been given from 2006 onwards, in the name of the occupier and they are in possession of the property and it is not possible to disconnect the same.



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5. Considering the above, this Court is of the view that since the issue involved in this writ petition is purely civil in nature, no purpose will be served to direct the respondent to consider the representation of the petitioner. The emphasis made by the learned counsel for the petitioner about the change of patta in the name of the petitioner is concerned, mere change of patta order will not amount to recovery of possession. It is for the petitioner to workout his remedy in the manner known to law by filing an appropriate suit seeking recovery of possession.

6. With the above direction, the Writ Petition is disposed of. No costs.

19.09.2024

Index : Yes / No

NCC : Yes / No

Rmk

To

The Assistant Engineer,
TANGEDCO,
Panaikulam Village & Post,
Ramanathapuram District.



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N.SATHISH KUMAR, J.

Rmk

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