



WP(MD). No.24624 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 19/10/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.24624 of 2024 and
WMP(MD) No. 20965 of 2024**

R. Ambiga

... Petitioner

Vs

1. The Assistant Executive Engineer,
Operation and Maintenance,
Tangedco, Sempattu,
Thiruverumbur Taluk,
Trichirappalli District.

2. G.Rengarajan,
S/o.Govindarajan,
No. 33a, Pensioners Colony,
Kesavanagar, Khajanagar Post,
Trichy 23.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 1st respondent to restore the electricity service connection bearing no. 225-001-1456 for the petitioners house bearing Door No. 5/6, Ayyanar Nagar, 7th Street, Gundur, Thiruverumbur Taluk, Trichirappalli 07 within a time frame fixed by this Court.



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For Petitioner : Mr.K.S.Kathiravan
For Respondent : Mr.S.Deenadayalan

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed for a mandamus directing the 1st respondent to restore the electricity service connection bearing no. 225-001-1456 for the petitioner's house bearing Door No. 5/6, Ayyanar Nagar, 7th Street, Gundur, Thiruverumbur Taluk, Trichirappalli 07 within a time frame fixed by this Court.

3. It is the case of the petitioner that the petitioner purchased a plot in Plot No.189 in the year 2011. The 2nd respondent purchased the Plot No.188 and it is the case of the 2nd respondent that the petitioner has put up construction in Plot No.188 instead of 189. The 2nd respondent has also entered an agreement for sale in favour of the petitioner herein under proper sale consideration. The petitioner has put up construction and residing in the subject property and she has already obtained service connection bearing No.225-001-1456. Now, the 2nd respondent has failed



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to execute the sale deed and he is taking steps to enforce the contract.

Meanwhile, on the objection of the 2nd respondent, electricity service connection has been disconnected to the petitioner's property. Hence, the petitioner is before this Court for appropriate direction.

4. I have considered the rival submissions and perused the materials available on record.

5. At the outset, this Court is of the view that the dispute is between the petitioner and the 2nd respondent with regard to an agreement of sale, which is of civil in nature and it is not disputed by the petitioner that she had already put up construction and has also obtained service connection. In such view of the matter, merely on the basis of the civil dispute that is existing between them, the service connection ought not to have been disconnected.

6. In view of the above, there shall be a direction to the 1st respondent to effect electricity service connection forthwith to the petitioner's house. Mere granting electricity service connection will not



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have any impact in deciding the rights of the parties before the civil Court and if the 2nd respondent succeeds before the civil Court, he can seek for recovery of possession.

7. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

19.10.2024

NCC : Yes/No

Index : Yes/No

RR



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N.SATHISH KUMAR,J

RR

**ORDER
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