



W.A.(MD)No.447 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **27.02.2024**

CORAM:

THE HONOURABLE MRS.JUSTICE **V.BHAVANI SUBBAROYAN**
AND
THE HONOURABLE MR.JUSTICE **K.K.RAMAKRISHNAN**

W.A.(MD)No.447 of 2017
and
C.M.P(MD)No.4110 of 2017

Lathiba : Appellant/3rd Respondent

Vs.

1.K.Mohammed Iqbal : 1st Respondents/Petitioner

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Near Yadava Mahal,
Mandapam Road,
Ramanathapuram Town,
Ramanathapuram Taluk & District.
: 2nd Respondent/1st Respondent

3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Ramanathapuram Town,
Ramanathapuram Taluk & District.
: 1st Respondents/2nd respondent

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent to set aside the order dated 12.01.2017 passed in W.P.(MD) No.14090 of 2010.



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For Appellant : Mr.K.R.Laxman
For Respondents : Mr.Loganathan for R1
Mr.S.Deenadhayalan for R2 and R3

JUDGMENT

(Judgment of the Court was delivered by **V.BHAVANI SUBBAROYAN, J.**)

The first respondent, as the petitioner, has filed the writ petition seeking electricity service connection to his house, which was allowed. Challenging the same, the appellant/third respondent filed the present writ appeal

2. It is seen that the first respondent/writ petitioner sought for domestic electricity service connection for the dwelling house, which is situated at S.No.327/38. When the Electricity Board wanted to draw a line from the nearest pole, the same was objected by the appellant/third respondent on the ground that the line at S.No.327/33 belongs to her as she had been enjoying the same from time immemorial from their forefather and in this regard, she has filed a suit in O.S.No.364/2004 seeking declaratory decree. In view of the same, the respondent authorities have given 7 days time to the first respondent/petitioner to remove the said objection. Since it has not been



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removed, the impugned order has been passed. Challenging the same, the first respondent/petitioner filed the writ petition. The said writ petition was allowed. Challenging the same, the appellant/third respondent, who was the objector, filed the present appeal.

3. When the matter is taken up for hearing, it is represented that the electricity service connection has been given to the first respondent/writ petitioner in view of the disposal of the above said civil suit.

4. In view of the above submission, nothing survives for further adjudication in this matter. Hence, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[V.B.S.,J.] [K.K.R.K.,J.]

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NCC : Yes/No

Index : Yes / No

Internet : Yes



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