



W.P(MD)No.28128 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.28128 of 2024

and

W.M.P(MD)No.23860 of 2024

K.Muthuvel

... Petitioner

Vs.

- 1.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,
Sivagangai,
Sivagangai District.
- 2.The Assistant Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,
Tirupuvanam,
Sivagangai District.
- 3.The Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,



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Tirupuvanam,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in his proceedings in No.Nil dated 14.11.2024 and quash the same as illegal and consequently to direct the respondents to issue temporary electricity new connection to the petitioner house situated in SMS Nagar, Plot No.212, in Survey No.3/1A1A at Nelmudikarai, Tirupuvanam, Sivagangai District within the period that may be stipulated by this Court.

For Petitioner : Mr.V.Karthikraja
for M/s.Ajmal Associates

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent in his proceedings in No.Nil dated 14.11.2024 and consequently direct the respondents to issue temporary electricity new connection to the petitioner's house situated in SMS Nagar, Plot No.212, in Survey No.3/1A1A at Nelmudikarai,



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Tirupuvanam, Sivagangai District within the period that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents and carefully perused the entire materials available on record.

3. Challenging the impugned order of the respondent Corporation dated 14.11.2024 rejecting the petitioner's requisition for his service connection by application intimating that the new service connection is put on hold, this Writ Petition is filed.

4. When the matter was taken up for hearing, the learned Standing Counsel for the respondent Corporation, on instructions, submitted that the they are not able to consider the petitioner's application only because of the order of interim stay passed by the Hon'ble Division Bench of this Court in W.P(MD)No.5651 of 2023 on 15.03.2023 and he further added that the petitioner's application is not rejected but the same is kept on hold.



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5. That apart, the District Collector, Sivagangai by proceedings dated 07.06.2019 has already issued a direction to the Superintending Engineer (TANGEDCO), Sivagangai, respondent corporation not to provide electricity connection for the area comprised in Survey No.1 of T Nelmudikarai Village, Thirupuvanam Taluk and the same was placed before my perusal.

6. Per contra, the learned counsel appearing for the petitioner submitted that his property is situated in Survey No.3/1A1A of T Nelmudikarai Village.

7. In view of the same, considering the order passed by the Hon'ble Division Bench of this Court to which I was one of the party in W.P(MD)No.5651 of 2023 which was with respect to laying of the road pursuant to a tender dated 27.02.2023, wherein this Court has passed an order of interim injunction on the basis of cancellation of patta in favour of the promoter of one SMS Nagar with respect to the land pertaining to the said patta, that is, for the lands comprised in Survey Nos.1/6 and 3/1A1A, Nelmudikarai Village, the respondent corporation is directed to



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appreciate the petitioner's application without putting it on hold and provide him with electricity connection within a period of four weeks after getting indemnity bond from the petitioner and other necessary charges.

9. This Writ Petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,
Sivagangai, Sivagangai District.
- 2.The Assistant Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,
Tirupuvanam, Sivagangai District.



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L.VICTORIA GOWRI, J.

MGA

3.The Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited,
Tamil Nadu Electricity Board,
Tirupuvanam,
Sivagangai District.

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and
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