



W.P.(MD)No.30372 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.30372 of 2024

Murugavel

: Petitioner

Vs.

1. The Superintendent of Engineer,
TANGEDCO, Ramanathapuram,
Ramanathapuram District.

2. The Junior Electrical Engineer,
TANGEDCO, Kattu Paramakudi,
Paramakudi Rural, Ramanathapuram District.

3. The Assistant Engineer,
TANGEDCO,
Kattu Paramakudi,
Paramakudi Rural,
Ramanathapuram District.

4. Lakshmi

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents 1 to 3 from providing electricity service connection in the name of 4th respondent to the thar shed in land at Survey No.31/2 to an extent of 322



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Sq.ft. situated at Santhaipettai Street, Paramakudi Town, Ramanathapuram District without obtaining petitioner's consent by considering petitioners representation dated 03.12.2024.

For Petitioners : Mr.Y.Yasar Arafath

For Respondents : Mr.S.Deenadhayalan

Standing Counsel for R1 to R3

Mr.D.Senthil for R4

ORDER

The petitioner has filed this Writ Petition forbearing the respondents 1 to 3 from providing electricity service connection to the property situated in Survey No.31/2 at Santhaipettai Street, Paramakudi Town, Ramanathapuram District, in the name of the fourth respondent.

2.The petitioner's case is that the fourth respondent illegally constructed a thar shed on the subject property based on the judgment in O.S. No. 11 of 2000, passed by the District Munsif, Paramakudi. The



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petitioner contends that, at that time, he was a minor and therefore, he filed another suit in O.S. No.57 of 2024, seeking to declare the judgment in O.S. No. 11 of 2000 as null and void and to remove the thar shed from the subject property. The petitioner's grievance is that pending civil suits, the fourth respondent approached the second respondent seeking an electricity connection for the disputed property. In this regard, the petitioner submitted a representation on 03.12.2024, which was not considered by the first respondent. Therefore, the petitioner has filed this writ petition.

3. Heard both sides.

4. Admittedly, in the present case, the issue between the petitioner and the fourth respondent is of civil nature and two civil suits are already pending before the competent civil court. This Court also takes into account the fact that the ongoing civil dispute involves claims or disputes over the rights to the subject property. Therefore, the prayer sought for by the petitioner cannot be granted. It is for the petitioner to approach the competent civil court to seek redressal of his grievance.



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5. Accordingly, this writ petition is dismissed with a liberty

to the petitioner to workout the remedy in the manner known to law.

There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

PKN

To

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3. The Assistant Engineer,
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VIVEK KUMAR SINGH, J.

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