



W.P(MD)No.970 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.970 of 2019

and

W.M.P(MD)No.792 of 2019

S.Selvaraj

... Petitioner

Vs

1.The Assistant Engineer,
Tamil Nadu Electricity Board,
Rock Fort Section,
Paraipatti, Dindigul.

2.H.Amohamed Ali

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining the impugned order of the first respondent dated 13.07.2018 Lr.No.AEE/M.D/Dindigul/Va.Me/C.Case/O.S.No.56/2018 and quash the same and consequently direct the first respondent to give three phase service connection to the petitioner's property situated at Door No.36G, Palani Road, Dindigul.



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For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.S.Deenadhayalan (R1)
Standing Counsel

: Mr.G.Gomathi Sankar (R2)

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent dated 13.07.2018, quash the same, and consequently direct the first respondent to provide a three-phase electricity service connection to the petitioner's premises situated at Door No.36G, Palani Road, Dindigul.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a tenant under the second respondent. According to him, there is a landlord-tenant dispute between the parties. The petitioner submitted an application seeking a three-phase electricity service connection. However, the same was rejected by the first respondent on the



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ground that civil proceedings were pending between the petitioner and the second respondent. Aggrieved by the said order, the present Writ Petition has been filed.

3.The learned counsel for the petitioner further submitted that the petitioner had instituted a suit in O.S.No.85 of 2011 on the file of the Principal District Court, Dindigul, seeking specific performance against the second respondent. The suit came to be dismissed by judgment and decree dated 07.01.2016. Challenging the same, the petitioner preferred A.S(MD)No.151 of 2016 before this Court. The said appeal was dismissed for default on 08.07.2026, and no application has been filed for its restoration or any further proceedings have been initiated thereafter. It is, however, contended that the mere pendency of civil proceedings cannot be a ground to deny an electricity service connection, particularly when the petitioner is admittedly in occupation of the premises as a tenant. Accordingly, he sought appropriate orders.



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4.Per contra, the learned counsel appearing for the second respondent submitted that the second respondent had instituted R.C.O.P. No. 20 of 2009 seeking eviction of the petitioner and the same was allowed by order dated 04.12.2009. The appeal preferred by the petitioner against the said order was also dismissed, and the said fact is not in dispute. It is therefore contended that, in view of the eviction order having attained finality, the petitioner is not entitled to continue in possession of the premises. Consequently, the petitioner cannot seek a direction to provide a separate electricity service connection to the premises. Hence, the learned counsel prayed for dismissal of the Writ Petition.

5.Heard the learned counsel appearing on either side and perused the materials available on record.

6.Admittedly, the petitioner suffered an order of eviction in R.C.O.P.No.20 of 2009, and the appeal preferred there against was also dismissed. Further, the suit filed by the petitioner for specific performance



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was dismissed, and the appeal preferred before this Court in A.S. (MD) No. 151 of 2016 was dismissed for default on 08.07.2026. It is also not in dispute that no further proceedings have been initiated by the petitioner thereafter. In such circumstances, when the petitioner's right to continue in possession of the premises is no longer subsisting, this Court is not inclined to issue a direction to the first respondent to provide a separate three-phase electricity service connection to the petitioner.

7. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

30.07.2026

NCC : Yes / No
Index : Yes / No
ps

To
The Assistant Engineer,
Tamil Nadu Electricity Board, Rock Fort Section,



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M.DHANDAPANI, J.

ps

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