



W.A(MD)No.956 of 2015 & W.P(MD)No.9712 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

**W.A(MD)No.956 of 2015 & W.P(MD)No.9712 of 2020
and
M.P(MD)No.1 of 2015**

1.W.A(MD)No.956 of 2015:

- 1.E.Malathy (died)
- 2.V.Easwaran
- 3.E.Maheswaran
- 4.E.Sathishkumar

... Appellants

VS.

- 1.S.Sandeep
- 2.The Chief Engineer,
TANGEDCO, Theni, Theni District.
- 3.The Assistant Electrical Engineer,
Rural/North,
The Tamilnadu Power Generation and Distribution
Company Limited,
TANGEDCO, N.R.T. Road,
Theni.

... Respondents

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WEB COPY (Appellants 2 to 4 are brought on record as legal representatives of the deceased first appellant vide order dated 22.08.2017 made in C.M.P(MD)No.2237 of 2016)

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 28.08.2015 passed in W.P(MD)No.5678 of 2015 on the file of this Court.

For AA 2 to 4 : Mr.M.C.Swamy

For Respondents : Mr.J.Amirtharaj (R1)
for Mr.S.Ramsundarvijayraj

: Mr.S.Deenadhayalan (R2 & R3)
Standing Counsel

2.W.P(MD)No.9712 of 2020:

Eswaran

... Petitioner

VS.

1.The Assistant Electrical Engineer,
Rural / North,
The Tamil Nadu Power Generation and
Distribution Company Limited,
TANGEDCO, N.R.T.Road, Theni.

2.The Executive Engineer (Distribution)
TANGEDCO, NRT Nagar Main Road,
Theni,
Theni District.

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3.The Chief Engineer,
TANGEDCO, K.Pudur, Madurai District.

4.The Chairman cum Managing Director - TANGEDCO,
10th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai.

5.The Commissioner,
Office of the Theni Allinagaram Municipality,
Theni, Theni District.

6.V.S.Sandeep ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order issued by the first respondent in his proceedings in Ka.N.Vu.Mi.Po/OORAGAM/VADAKKU/Aa.N.No. 155/20-21 dated 10.06.2020 and quash the same and consequently direct the first respondent to disconnect Electricity Connection Service No. 502-001-1040 granted to the sixth respondent in building at Door No. 1369/D Nehruji Road, Theni within the stipulated date.

For Petitioner : Mr.J.Amirtharaj
for Mr.S.Ramsundarvijayraj

For Respondents : Mr.S.Deenadhayalan (R1 to R4)
Standing Counsel

: Mr.S.Kaleeswaran (R5)

: No appearance (R6)



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COMMON JUDGMENT

(Judgment of the Court was delivered by M.DHANDAPANI, J.)

Since the issue involved in these Writ Petitions arises out of the same set of proceedings and the parties are common, these Writ Petitions are taken up together and disposed of by this common judgment.

2.W.A.(MD)No.956 of 2015 has been filed by the third respondent in W.P.(MD)No.5678 of 2015, challenging the order dated 28.08.2015 passed by the learned Single Judge of this Court in the said Writ Petition.

3.W.P.(MD)No.9712 of 2020 has been filed seeking issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the first respondent dated 10.06.2020, quashing the same and consequently directing the first respondent to disconnect Electricity Service Connection No.502-001-1040 granted to the sixth



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respondent in respect of the building bearing Door No.1369/D, Nehruji Road, Theni, within a stipulated period.

4.The learned counsel appearing for the petitioner in W.P(MD)No.9712 of 2020 would submit that the petitioner and the sixth respondent in W.P.(MD)No.9712 of 2020, and the appellant in W.A(MD)No. 956 of 2015 are family members. Earlier, there was a property dispute between them, pursuant to which one of them filed a civil suit in O.S.No.71 of 1985, which was subsequently re-numbered as O.S.No.354 of 2021 on the file of the Sub Court, Uthamapalayam, seeking partition, and a final decree came to be passed on 07.01.2023. Aggrieved by the decree passed by the trial Court, one S.V.Swaminathan preferred an appeal in A.S.No.57 of 1993 before the Principal District Court, Theni, and the said appeal was disposed of on 13.09.1996. Thereafter, a Second Appeal was preferred before this Court in S.A.No.1773 of 1996, which came to be dismissed as abated on 11.02.2013.



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5. In the meanwhile, the sixth respondent preferred W.P(MD)No. 5678 of 2015, seeking an electricity service connection, and the learned Single Judge of this Court, by order dated 28.08.2015, disposed of the said Writ Petition. Challenging the said order, the third respondent therein preferred W.A.(MD)No.956 of 2015.

6. Subsequently, one V.Easwaran filed W.P.(MD)No.9712 of 2020, seeking to quash the impugned order passed by the first respondent dated 10.06.2020 and to direct the first respondent to disconnect the electricity service connection granted to the sixth respondent, who was the petitioner in W.P.(MD)No.5678 of 2015.

7. However, the learned counsel appearing for the petitioner, the sixth respondent and the appellant would submit that this Court may permit the petitioner, the sixth respondent and the appellant to approach the jurisdictional Revenue Authority in terms of the final decree passed by the Sub Court, Uthamapalayam, dated 07.01.2023. On the basis of the said final



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decree, the jurisdictional Revenue Authorities may be directed to issue patta in accordance with the decree. Thereafter, on the basis of the patta, liberty may be granted to the petitioner, the sixth respondent and the appellant to approach the electricity authorities for transfer of the existing electricity service connection and for issuance of a fresh electricity connection, as the case may be.

8.In view of the above submission, the petitioner, the sixth respondent and the appellant are permitted to approach the jurisdictional Revenue Authority and seek issuance of patta in accordance with the final decree passed by the Sub Court, Uthamapalayam, dated 07.01.2023. Upon issuance of patta, it is open to the petitioner, the sixth respondent and the appellant to approach the competent electricity authorities for transfer of the electricity service connection and/or for issuance of a fresh electricity connection, as the case may be. The concerned authorities shall consider such applications in accordance with law.



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9. Accordingly, the Writ Appeal and Writ Petition are disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[M.D.I.,J.] & [N.D.K.,J.]
14.08.2026

NCC : Yes / No
Index : Yes / No
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2.The Executive Engineer (Distribution)
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3.The Chief Engineer,
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M.DHANDAPANI, J.
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