



W.P.No.4684 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4684 of 2025
and
W.M.P.No.5191 of 2025

Mahalingam

.. Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Anna Salai, Chennai – 600 002.
- 2.The Superintending Engineer (CEDC/WEST),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Eastern Wing, 6th Floor,
NPKRR Maligai,
144, Anna Salai, Chennai.
- 3.The Executive Engineer, (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Ambattur, Chennai.
- 4.The Assistant Executive Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Korattur, Chennai.



W.P.No.4684 of 2025

5.The Assistant Engineer (O&M),
Manurpet (I/c),
CEDC/WEST,
Chennai – 600 080.

6.Ravi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 5th respondent in Lr.No.AE/O&M/Mannurpet/CI/F.CM Cell/D.No.003/2025 dated:06.01.2025 and quash the same as illegal, arbitrary and non est in law and consequently direct the respondents particularly 5th respondent to provide the electricity connection for the petitioner premises in Old No.3/77 New No.4, Pillyar Kovil Street, Mannurpet, Chennai – 600 050.

For Petitioner : Ms.R.Sakthi Priya

For RR 1 to 5 : Mr.L.Jaivenkatesh
Standing Counsel (TANGEDCO)

ORDER

This writ petition has been filed challenging the impugned order dated 06.01.2025 and to quash the same and consequently to direct the 5th respondent to provide electricity connection for the petitioner premises in Old No.3/77 New No.4, Pillyar Kovil Street, Mannurpet, Chennai – 600 050.



W.P.No.4684 of 2025

2.It is the case of the petitioner that the property situated in Old No.3/77 New No.4, Pillyar Kovil Street, Mannurpet, Chennai – 600 050, was purchased from one Sampooranam in the year 1982 by his father by a registered sale deed dated 05.08.1982. His father died intestate on 03.12.2009 and as such the property devolves on totally seven persons as legal heirs. Now the petitioner is in possession of the premises. He had applied for the electricity connection. Along with his online application, he has enclosed the consent letters from the co-owners except one co-owner. Therefore, now the impugned order rejects the application on the ground that one of the legal heir namely Mr.Ravi has not signed the consent letter and therefore, the connection should not be given.

3.When the matter came up for admission, the learned Standing Counsel appearing for TANGEDCO relies upon the Tamil Nadu Electricity Distribution Code, specifically clauses that are mentioned in the application form. A reading of the application and the relevant condition No.2 reads as follows:

“(ii) In case of joint property, self attested copies of proof of ownership along with parent documents specified in note (i) above and consent letters from



co-owners. If consent letter is not produced, an indemnity bond with enhanced security deposits.”

4.Thus, it can be seen that in respect of a co-ownership, the petitioner has to provide the consent letter of all the co-owners. If the consent of any one of the co-owner is not produced, then as per the rules, it is open for the respondent authorities to seek for an indemnity bond and the petitioner can give the indemnity bond and thereafter the connection can be provided. That condition has not been resorted to in the instant case and straightaway the application of the petitioner has been rejected by way of the impugned order. In view of the same, this Writ Petition is disposed of with the following directions:

(i)The impugned order of the 5th respondent dated 06.01.2025 is quashed;

(ii)The respondent shall give an opportunity to the petitioner to provide indemnity bond for non production of the consent letter of Mr.Ravi;

(iii)The petitioner shall provide the indemnity bond to the satisfaction of the authorities and the respondent shall consider the same and effect a new electricity connection in the manner known to law.



W.P.No.4684 of 2025

5.At this juncture, the learned Standing Counsel appearing for the Electricity Board submits that the file itself is closed and the amount has been refunded. In view thereof, the petitioner shall make a fresh application and while submitting the fresh application, the petitioner shall also submit a representation by enclosing a copy of this order and also enclose the copies of the consent letters and also an indemnity bond and the respondent shall consider the same as expeditiously as possible and effect a new connection.

6.This Writ Petition is disposed of with the above directions. Consequently, the connected miscellaneous petition is closed. No costs.

12.02.2025

krk

Neutral Citation : No

To

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Anna Salai, Chennai – 600 002.



WEB COPY



W.P.No.4684 of 2025

D.BHARATHA CHAKRAVARTHY, J.

krk

- 2.The Superintending Engineer (CEDC/WEST),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Eastern Wing, 6th Floor,
NPKRR Maligai, 144, Anna Salai, Chennai.
- 3.The Executive Engineer, (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Ambattur, Chennai.
- 4.The Assistant Executive Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Korattur, Chennai.
- 5.The Assistant Engineer (O&M),
Manurpet (I/c), CEDC/WEST, Chennai – 600 080.

W.P.No.4684 of 2025

12.02.2025