



WEB COPY

WP No. 11289 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 11289 of 2017

AND

WMP NO. 12211 OF 2017, WMP NO. 12212 OF 2017

S.Mercy Rani

Petitioner(s)

Vs

1. The Assistant Engineer (Sub)
E and PA/Ambattur Circle, Tamilnadu
Electricity Board, Chennai-53
- 2.The Executive Engineer
O and M/Ambattur, TANGEDCO, 3rd
Main Road, S.S.Campus, Ambattur
Industrial Estate, Chennai - 600 061.
- 3.The Director(Distribution)
TANGEDCO, NPKRR Maaligai, No.144,
Anna Salai, Chennai - 600 002.
- 4.The Chairman / The General
Manager, TANGEDCO, NPKRR Maaligai,
No.144, Anna Salai, Chennai - 600 002.
- 5.Thiru. Ramakrishnan,
The Assistant Engineer (Sub) E and PA /
Ambattur Circle, Tamil Nadu Electricity
Board, Chennai - 600 053.
- 6.C. Ravikumar

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in letter No.vu.Po / Am Mai / Ko.Kattu / Ah No.239 dated 27.02.2017 passed by the 1st respondent and quash the same and consequently direct the 1st respondent to grant separate electricity connection in the name of the petitioner on the basis of his application dated 27.08.2014 for the property situate in the northern portion of Plot No.178, comprised in Grama Natham Survey No.594 / 1 A2, bearing Door No.37 /14, Shop Street, Venkatapuram, Ambattur, Chennai - 600 053.

For Petitioner(s): Mr.V.Chandrasekaran
for Mr. K.Prem Anand

For Respondent(s): Mr.L.Jaivenkatesh,
Standing Counsel
for R1 to R4
Mr.K.A.Mariappan
for R6

ORDER

Challenging the order of the 1st respondent, dated 27.02.2017, rejecting the request of the petitioner to give separate electricity service connection in his name, the present writ petition has been filed.

2.According to the petitioner, his grandparents have purchased the property in Plot No.178 comprised in Grama Natham Survey No.594/1A2, bearing Door No.37/14, Shop Street, Venkatapuram, Ambattur, Chennai, and



later, the petitioner's mother became the owner of the property as settlee. Later, the petitioner became the owner of the property by virtue of settlement deed dated 28.01.2014. Now, the petitioner seeks separate electricity service connection in his name in the property, since it is separated from the other area. However, the same has been rejected by the 1st respondent by the impugned letter dated 27.02.2017, based on the objections raised by the 6th respondent. Challenging the same, the present writ petition has been filed.

3.Initially, this writ petition was allowed by this Court by order dated 14.06.2017 and this Court had directed the respondents to give separate electricity service connection to the petitioner. Now, it is stated that, pursuant to the said order, separate electricity service connection has also been given to the petitioner. Later, after such connection was effected, the 6th respondent has filed a Review Application in Rev.Aplw.No.33 of 2018 before this Court to review the order of this Court in this writ petition in W.P.No.11289 of 2017, on the ground that he has not been heard in the matter. Therefore, in order to give an opportunity, the said review application was allowed by this Court by order dated 31.10.2025 and accordingly, now, the writ petition has been posted for hearing.

4.Despite several opportunities being given, even now, the 6th respondent is not ready to argue the matter. However, a counter affidavit has been filed by



the 6th respondent stating that there are several litigations pending between the parties and according to the 6th respondent, he has put up a shop in the property belonging to him. It is further stated that the sale in favour of the petitioner's grand parents is not valid and the suit filed by one Kuzhandhai and another in O.S.No.550 of 2013 on the file of the District Munsif Court, Ambattur, also was dismissed for default. It is further stated that the writ petitioner has clandestinely put up a tin shed in the open terrace of his shop premises and the petitioner has also obtained an electricity connection for his shop premises. Now, the petitioner has applied for another electricity connection for the said temporary tin shed and it has been rightly rejected by the authorities by the impugned order.

5. Admittedly, the property in question was sold long back in favour of the grandparents of the petitioner. Later, by virtue of a settlement deed, the property came to the mother of the petitioner. Later, the mother also executed a settlement deed in favour of the petitioner. Now, the petitioner is claiming electricity service connection to his shop premises in the property. Whether such title deeds are valid and whether the property has properly conveyed or not, has to be challenged in a proper manner in a civil suit. Without doing so, as a matter of right, the 6th respondent cannot object for grant of electricity connection. When a person is in possession of the property, he has a right to have the basic amenities, particularly, electricity, which is considered to be a



basic necessity and an integral part of right to life under Article 21 of Constitution of India and he cannot be deprived of the same. This aspect has been recognised by the Hon'ble Supreme Court in many judgments. In such view of the matter, the respondents cannot deny the same to the petitioner. Even assuming that the 6th respondent succeeds in establishing his title over the property before the Civil Court, all the amenities in the property will also come to the 6th respondent. It is for him to establish his right in the Civil Court. It is made clear that, mere granting of electricity service connection will not elevate or give a better title to anyone. It is just a basic necessity. As it stated that electricity connection has already been effected based on the earlier orders of this Court, no further direction is now required to be issued at this stage.

6. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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