



W.P.No.10427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10427 of 2025

and

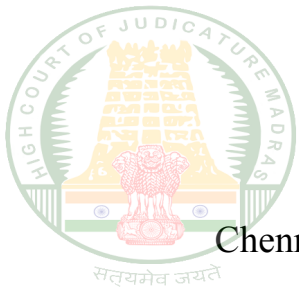
WMP.No.11724 of 2025

T.Sumathi

... Petitioner

Vs.

- 1.The Superintending Engineer/Central
Chennai Electricity Distribution Circle
Tamil Nadu Generation and Distribution Corporation Ltd
M.G.R. Salai, Valluvar Kottam
SS Campus, Nungambakkam
Chennai.
- 2.The Assistant Executive Engineer
Tamil Nadu Generation and Distribution Corporation Ltd
Teynampet No.1, Greenways Road
R.A.Puram
Chennai 600 028.
- 3.The Assistant Engineer
Tamil Nadu Generation and Distribution Corporation Ltd
O & M/Nandanam
Chennai Electricity and Distribution



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....Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in his proceedings in Ka.No.U.Sa.Po/E&P/Ko.Ka/A.No.111 dated 21.02.2025 and quash the same as illegal and consequently direct the respondents to provide separate electricity service to the petitioner's building situated at No.24/19, Rathna Nagar 2nd Street, Teynampet, Chennai.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.I.Syed Sebghathulla
(TANGEDCO)

ORDER

This Writ Petition is filed challenging the order dated 21.02.2025. By the said the order, the electricity service connection requested by the petitioner for commercial purposes stood rejected. It was rejected on the ground that the petitioner is claiming through a Will that is not probated and appropriate documents are not submitted.

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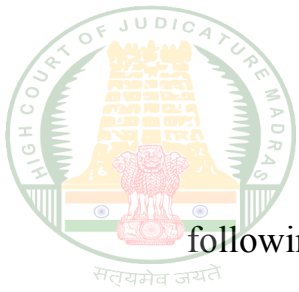
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2. When the matter came up for admission, the learned counsel appearing on behalf of the respondents who took notice pointed out that the property is in Chennai and it is mandatory for the petitioner to probate the Will.

3. I have considered the rival submissions and perused the material records of the case.

4. The petitioner seeks electricity connection. As per the terms, the petitioner should be in lawful occupation and need not to prove the ownership also. It is true that the petitioner is claiming title through the Will and unless that Will is probated, the same cannot be taken in evidence. Even *de hors* the Will, the petitioner can prove his lawful occupation especially in this case when no other rival claim is there in respect of the property.

5. In view thereof, this Writ Petition is disposed of on the



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following terms;

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(i) The petitioner shall take out a publication inviting objections to his title and also execute an indemnity bond and produce such documents such as payment of property tax or any other document which is with him to prove that he is lawful occupation and the same shall be considered and the connection be effected in accordance with law;

(ii) The petitioner shall effect the publication and provide the indemnity bond within a period of two weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order, and the respondents shall consider the same and pass orders thereon within a period of six weeks therefrom;

(iii) No costs. Consequently, connected Miscellaneous Petition is closed.

27.03.2025

Neutral Citation : No
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To

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D.BHARATHA CHAKRAVARTHY, J.

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