



W.P.No.10922 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10922 of 2025

and

W.M.P.No.12316 of 2025

G.PICHAIIYAN

... Petitioner

Vs

1. THE SUPERINTENDING ENGINEER,
TANGEDCO,
ARAKKONAM,
RANIPET DISTRICT.
2. THE EXECUTIVE ENGINEER,
TANGEDCO, ARAKKONAM,
RANIPET DISTRICT.
3. THE ASSISTANT EXECUTIVE ENGINEER,
TANGEDCO,
KUMMINIPETTAI,
ARAKKONAM,
RANIPET DISTRICT.
4. K.SUBRAMANI

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent herein in his proceedings Ku.No.E.NE.ME.PO/EPA/Ku.PETTA/KOPPU-PUHAR, THANI/393/2024-25 dated 20.01.2025 and quash the same in so far as it relates to the petitioner and to issue consequential direction relates to disconnection of the Electricity Connection



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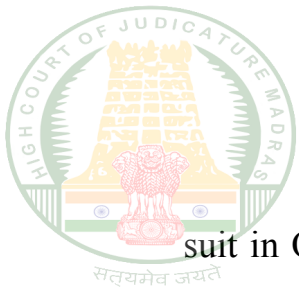
and restore the electricity connection in the residential house situated at No.58, Bajanaï Koil Street, Kainoor Kandigai Village & Post, Arakonam Taluk, Ranipet District.

For Petitioner : Mr.R.Chandrasekaran
For R1 to R3 : Mr.S.Madhusudanan

ORDER

This writ petition is filed challenging the impugned order dated 20.01.2025. By the said order, the electricity connection granted in the name of the petitioner in respect of the property in survey No. 319/A1, Plot No. 12, Kaiynoor Village, Arakkonam Taluk, Ranipet District was disconnected.

2. Upon hearing the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 to 3 and perusing the affidavit filed in support of the writ petition and the material records of the case, the grievance of the petitioner seems to be that, by an oral sale agreement, the fourth respondent herein had obtained a sum of Rs. 40,000/- from the petitioner and the petitioner was put into possession. Accordingly, the petitioner obtained the electricity connection and was in enjoyment of the property. However, the same has now been cancelled without providing the petitioner with a proper opportunity. The petitioner has already filed a civil



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suit in O.S. No. of 2025 on the file of the District Munsif Court, Sholinghur,
Ranipet District.

3. The learned counsel appearing on behalf of the respondents 1 to 3 submits that the disconnection was done for two reasons. Firstly, the consumption charges were not paid. Secondly, the fourth respondent submitted an objection claiming that the connection had been obtained through forged deeds and documents. As a matter of fact, the President of the village has cancelled the completion certificate that was granted upon the objection of the fourth respondent.

4. It is true that if there is a title dispute, the respondents need not disconnect the electricity. However, as per the terms of supply, the person who receives the electricity connection should be in lawful occupation. Therefore, when the petitioner pleads an oral agreement of sale, the question of whether he is in possession of the property has to be decided. That question cannot be decided by the respondents. The petitioner has already filed the civil suit in O.S. No.7 of 2025. The petitioner can also move for interim relief regarding his possession before the same Civil Court. Even if the Civil Court, *prima facie*, finds that the petitioner is in possession of the property and passes any



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interim order in favor of the petitioner, then the respondents shall reconnect the electricity supply, provided the consumption charges are paid.

5. With such liberty preserved for the petitioner, the writ petition stands disposed of. The parties shall act upon the web copy of the order without waiting for the certified copy of the order. Consequently, the connected miscellaneous petition is closed. No costs.

28.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE SUPERINTENDING ENGINEER,
TANGEDCO,
ARAKKONAM,
RANIPET DISTRICT.
2. THE EXECUTIVE ENGINEER,
TANGEDCO, ARAKKONAM,
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3. THE ASSISTANT EXECUTIVE ENGINEER,
TANGEDCO,
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D.BHARATHA CHAKRAVARTHY, J.

ns1

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