



W.P.No.9158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 17.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9158 of 2025

P.Ashokan,

... Petitioner

/versus/

1. The Collector of Krishnagiri District,
Collectorate Office, Krishnagiri.

2. The Superintending Engineer,
Operation & Maintenance,
Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
Krishnagiri.

3. The Executive Engineer,
Operation & Maintenance, Tamil Nadu Generation and Distribution Corporation
Limited (TANGEDCO),
Bargur, Krishnagiri District.

4. The Assistant Executive Engineer,
Operation & Maintenance, Tamil Nadu Generation and Distribution Corporation
Limited (TANGEDCO),
Bargur, Krishnagiri District.

5. The Assistant Engineer,
Operation & Maintenance,/ Tamil Nadu Generation and Distribution Corporation
Limited (TANGEDCO), Varattanapalli Village & Post,
Krishnagiri District.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India,

Page 1 of 6



W.P.No.9158 of 2025

Writ of Certiorarified Mandamus, to calling for the records from the 4th respondent herein pertaining to his impugned Letter No A.E.E. / OM / Burgur / D. Complaint / A.No.1048/24-25 dated 14.02.2025 of the 4th respondent and quash the same and direct the 4th respondent to restore the petitioner's Electricity Service connection to the petitioner property, viz., lands measuring 3.18 Acres, comprised in Re-survey No.78, as per the title deed dated 16.02.1913 registered as Document No 314 of 1913 at the Krishnagiri Sub Registrar office, situate at Varattanapalli Village and post Bargur Taluk, Krishnagiri District forthwith.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mr.R.Murthi,
Government Advocate, For R1
: Mr.S.Madhusudanan, (TANGEDCO)
for R2 to R5

ORDER

This writ petition is challenging the impugned order dated 14.02.2025.

By the said impugned order, the 4th respondent has directed the petitioner to produce the revenue records evidencing his title in respect of the said property.

2. Upon hearing the learned counsel for the petitioner and also

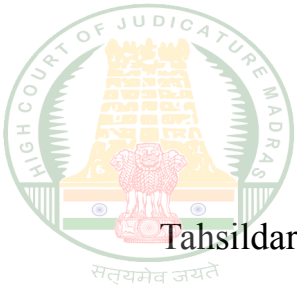


W.P.No.9158 of 2025

perusing the affidavit filed in support of the writ petition and the learned Counsel

WEB COPY appearing on behalf of the respondent, it is clear that the petitioner is claiming title to the property by virtue of a registered sale deed 314/1913. It is the case of the petitioner that subsequently without taking note of the sale deed, one more document was executed in favour of the Temple in the year 1929. Already the petitioner has filed a suit for declaration that the temple will not have title in respect of the property and to declare their title pursuant to the earlier sale deed of the year 1913. Therefore, the learned counsel for the petitioner submits that when the Civil Court is to decide the said question, in the meanwhile, the petitioner cannot be indirectly coerced or disposed except by due process of law. The action of cutting electricity supply is one such method and therefore, he request that this Court should interfere.

3. I have considered the said argument of the Learned Counsel for the petitioner. But in the instant case, the petitioner has filed the suit in O.S.No.529 of 2024 on the file of the Principal District Court, Krishnagiri by duly arraying all the legal heirs of the person who conveyed the property to the Temple subsequently in the year 1929 and also the Electricity Board and its authorities, including the



W.P.No.9158 of 2025

Tahsildar and Collector. It can be seen that prayer for interim injunction is also made before the Civil Court and the same is pending. Therefore, when the party has already approached the Civil Court for the same relief and only for the purpose of interim relief pending the suit, the jurisdiction under Article 226 cannot be invoked. Therefore, if the petitioner has made any interim prayer, the same shall be considered on its own merits by the concerned civil Court.

4. Needless to mention that the suit can also be decided as expeditiously as possible. Therefore, with such liberty to the petitioner to pursue the interim application already filed or even to file any such fresh Interlocutory Application in the pending suit, this writ petition is disposed of.

5. Needless to mention that if the petitioner claims that he has got only the title document and not the revenue records, the same shall also be decided finally by the TANGEDCO authorities in the manner known to law.

6. Accordingly, this Writ petition stands disposed of. There shall be no



W.P.No.9158 of 2025

order as to costs.

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Neutral Citation : No.

bsm

To,

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Limited (TANGEDCO), Varattanapalli Village & Post,
Krishnagiri District.

6. The Government Pleader, High Court, Madras.

D.BHARATHA CHAKRAVARTHY, J.

bsm

Page 5 of 6



WEB COPY



W.P.No.9158 of 2025

W.P.No.9158 of 2025

17.03.2025

Page 6 of 6