



W.P.No.10416 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:21.03.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.S. Saravanan, aged about 41 years,
Son of G. Subramanian

2. S. Gowtham, aged about 36 years,
Son of G. Subramanian,
Both petitioners are residing at:
Residing at Door No: 1/21, Kambar Street,
Srinivasa Nagar, Padi, C
Chennai-600 050.

..Petitioners

/versus/

1.Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO)
Rep by its Chairman
NPKRR Maaligai,
144, Annasalai, Chennai 600 002.
Tamil Nadu, India.

2.Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO)
Represented by its Assistant Engineer
E & PA/Thirumullaivoyal
Chennai-600 062.



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3. R. Elumalai
Son of Ramalingam,

4. Karthik
Son of R. Elumalai
Respondents 4 & 5 are residing at
No: 218, Sakerswari Nagar, 7th Street,
Thiruverkadu, Chennai-77.

..Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records in proceedinsNo.Ka.No.U.PO/E&PA/Thirumullaivoyal/case 130/ No. dated 08.10.2024 on the file of 2nd respondent and quash the same as illegal, incompetent and further direct the 2nd respondent to disconnect the electricity connection effected in favour of the 3rd respondent and thereby render justice.

For Petitioner :Ms.R.Sripriya

For Respondents :Mr.L.Jaivenkatesh,Standing Counsel for
(TANGEDCO)
For R1 and R2



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ORDER

In view of the nature of the relief, that is granted, this writ petition is disposed of at the admission stage without notice to the private respondents Nos.3 and 4.

2. The claim of the petitioner is that the petitioner is the owner of the property in Survey Nos.212/1, 2, 3, 213/1, 2, 3A, 219/9,T.S.No.3/24, Block No,4, measuring an extent of 960 sq.ft situated at Thirumalai Nagar, Plot No,61, Thirumullaivoyal, Chennai. However, the 3rd and 4th respondents, who are the owners of the adjacent extent, are also wrongly claiming as if the said Survey numbers are also belonging to them. When the dispute was there and survey applications were being made, suddenly, in spite of the objections that were made by the petitioner, the 1st and 2nd respondents authorities effected the electricity connection.

3. The learned Standing Counsel appearing for the respondents 1 and



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2 would submit that the connection has been effected with reference to plot No.60, based on the documents that are submitted by the private respondents 3 and 4.

4. In reply thereof, the learned counsel for the petitioner would submit that the private respondents made the documents in respect of the plot No.60, but however, the property identified is that of the petitioner at Plot.No.61.

5. It is the case of the petitioner that the respondents No.3 and 4 are not even in possession of the said properties, much less lawful possession. Therefore, they have submitted the representation dated 30.07.2024. Even though the title dispute cannot be gone into by the respondents authorities and normally they will take an indemnity bond, in case of dispute and effect connection, but still the question whether the possession itself is there or not and if so, whether there is any lawful possession has to be considered by them and therefore, the 2nd respondent shall take up the representation of the petitioner for enquiry and issue notice to the petitioner as well as the



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respondents No.3 and 4 and decide the issue in accordance with law by taking into account the terms of supply and pass final orders thereon within a period of eight weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order. No costs.

21.03.2025

Neutral citation:no

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To

1.Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO0
Rep by its Chairman
NPLRR Maaligai,
144, Annasalai, Chennai 600 002.
Tamil Nadu, India.

2.Tamil Nadu Generation and
Distribution Corporation Limited9TANGEDCO0
Represented by its Assistant Engineer
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D.BHARATHA CHAKRAVARTHY,J.

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