



W.P.No.10501 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.03.2025

CORAM:

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

W.P.No.10501 of 2025

and

W.M.P.No.11822 of 2025

H.SHANKAR REDDY

... Petitioner

Vs

1. THE ASSISTANT EXECUTIVE ENGINEER,
(OPERATION AND MAINTENANCE),
TANGEDCO, BANGALUR VILLAGE & POST,
HOSUR TALUK,
KRISHNAGIRI DISTRICT.

2. ANJANA REDDY

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 20.02.2025 made in Ka.No.U.Sa.Po/E & Pa/Bagalur /VA.Vu/Ko.Th. ni/A.No. 842/2025 passed by the first respondent quash the same and consequently forebear the respondents their officials, sub ordinates or servants in any manner conducting an enquiry and disconnecting the electricity connection bearing Consumer No. 08082003837 for the petitioner's land comprised in S.No.17/2 situated at Kempasandiram Village, Avalapalli Post, Hosur taluk Krishnagiri.



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For Petitioner : Mr.G.Ethirajulu
For R1 : Mr.S.Madhusudhanan

ORDER

This writ petition is filed challenging the impugned communication dated 20.02.2025.

2. On a perusal of the said communication, the Assistant Executive Engineer, TANGEDCO, Bagalur, issued a notice to the petitioner with reference to the agricultural connection in No.082-033-837 by stating that, in respect of Survey No. 17/2, the petitioner shall produce the correct revenue documents within seven days from the date of receipt of the letter.

3. The contention of the learned counsel appearing for the petitioner is that there is a dispute with reference to the title between the petitioner and the second respondent. When the earlier patta was sought to be cancelled, the parties were before this Court and an order was passed in Writ Petition No.24870 of 2018 dated 22.10.2018. In the said writ petition, it was held that the title dispute cannot be entertained by the revenue authorities, either by granting patta in favor of respondents 4 to 9 or canceling the same in favor of the petitioner. The parties were directed to agitate their rights before the



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appropriate Civil Court.

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4. It is stated that suits in O.S.Nos.31 of 2012 & 406 of 2021 are pending before the learned Subordinate Court, Hosur. It is also seen that thereafter, the second respondent filed W.P. No. 3162 of 2022 and by order dated 21.02.2022, this Court directed to consider the second respondent's representation dated 07.01.2022.

5. It is stated by the learned counsel appearing on behalf of the first respondent that, subsequently, the second respondent represented to them that the revenue documents were canceled. Therefore, they are insisting to verify the records and that is why the notice has been issued.

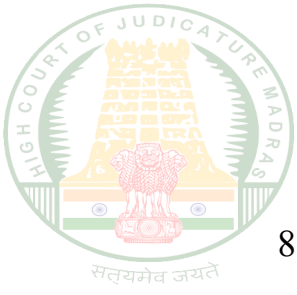
6. If the civil suits filed by the parties with reference to the land has been pending in the Civil Court for more than 13 years, the parties, like the petitioner and the second respondent, will only go here and there. It can be seen that the parties have taken their disputes to the revenue authorities and now to the Electricity Board authorities. Therefore, the core issue is that the civil suit remains undisposed even after 13 years. The learned Subordinate Judge, Hosur, is hereby requested to expedite the disposal of the above



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mentioned suits that is pending for 13 years. At least two hearings per week has to be held and the suits has to be disposed of as expeditiously as possible, in any event, not later than three months from the date of receipt of the copy of this order.

7. In the meanwhile, the petitioner can produce not only the revenue documents but also any other documents to claim that the petitioner is in lawful occupation or even under a disputed title with respect to the said premises, the same shall be considered by the respondents in the manner known to law. If any objections are submitted in writing, the authority has to specifically consider the same. Not only the revenue documents but also all other documents produced by the petitioner have to be looked upon. According to the terms of supply, the authorities are only expected to determine whether the petitioner is a lawful occupier or not and not to decide the title by themselves, which will be done by the Civil Court. This Court is not expressing any opinion on the rival claims of the petitioner and the second respondent. As such, this writ petition is disposed of at the admission stage without notice to the second respondent.



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8. With the above direction to the Civil Court and giving liberty to the petitioner to submit a reply to the notice challenged in the writ petition, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

26.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE SUBORDINATE JUDGE,
HOSUR.
2. THE ASSISTANT EXECUTIVE ENGINEER,
(OPERATION AND MAINTENANCE),
TANGEDCO, BANGALUR VILLAGE & POST,
HOSUR TALUK,
KRISHNAGIRI DISTRICT.



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D.BHARATHA CHAKRAVARTHY, J.

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