



W.P.No.11737 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 02.04.2025

CORAM:

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

W.P.No.11737 of 2025

and

W.M.P.Nos.13282 & 13284 of 2025

THANGAVEL

... Petitioner

Vs

1. THE DISTRICT COLLECTOR,
TIRUPPUR DISTRICT, TIRUPPUR.
2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
TIRUPPUR DISTRICT.
3. THE TAHSILDAR,
THALUK OFFICE,
PALLADAM TALU,
TIRUPPUR DISTRICT.
4. THE EXECUTIVE ENGINEER,
TANGEDCO,
UDUMALAPET ROAD,
VADUGAPALAYAM,
PALLADAM TALUK, TIRUPPUR DISTRICT.
5. THE ASSISTANT ELECTRICAL ENGINEER,
TANGEDCO, PONGALUR TOWN,
PALLADAM TALUK, TIRUPPUR DISTRICT.
6. AZHAGUSELVI
7. LEELAMERI

... Respondents



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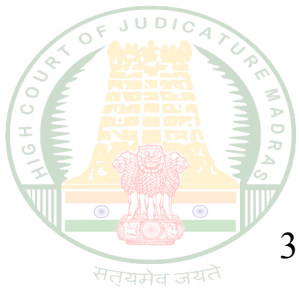
Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned no objection issued by the third respondent in Na.Ka.No. 989/2025/A2 dated 07.03.2025 and to quash the same, consequently, forbear the fourth and fifth respondents from issuing new electricity service connection concerning the property comprised in Survey No.210/5B, situated at Pongalur Village, Palladam Taluk, Tirupur District.

For Petitioner	: Mr.R. Divya Bharathi
For R1 to R3	: Dr.S.Suriya Additional Government Pleader
For R4 & R5	: Mr.L.Jaivenkatesh (TANGEDCO)

ORDER

Considering the nature of the orders that are going to be passed, this writ petition is disposed of at the admission stage without notice to the private respondents and the other encroachers, as their rights are not permanently dealt with in this writ petition.

2. This writ petition is filed with a prayer challenging the order made in Na.Ka.No. 989/2025/A2 dated 07.03.2025, issued by the third respondent. By the said impugned order, the third respondent has granted no objection for the Electricity Department to grant power connection to various encroachers.



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3. It is the contention of the petitioner that the land in survey No. 210/2B, admeasuring 0.58.0 hectares, has been assigned to him by an order of assignment dated 23.12.1989. Therefore, when the petitioner is the owner of the property, there is no question of the third respondent issuing a no objection certificate.

4. When the matter came up for admission, *Dr.S.Suriya*, learned Additional Government Pleader appearing for the respondents 1 to 3 on written instructions from the 3rd respondent, would submit that all these persons are poor and living in thatched houses. Therefore, they are in dire need of electricity. The assignment made in favor of the petitioner was made in violation of the rules and steps are already being taken to cancel the assignment.

5. Be that as it may, if the assignment is erroneously made, it would be open for respondents 1 to 3 to cancel the same in the manner known to law. Only after the cancellation of the assignment, it can be said that the land will vest with the Government and their jurisdiction to issue a no objection certificate will arise. So long as the assignment remains in force as of now, the



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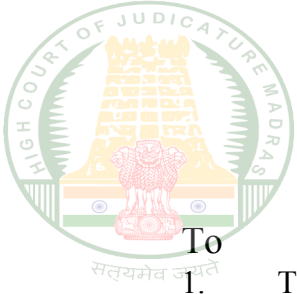
land belongs to the petitioner and the Tahsildar cannot give a no objection certificate for the grant of an electricity connection.

6. In view thereof, the impugned order made in Na.Ka.No. 989/2025/A2 dated 07.03.2025 shall stand quashed. However, if the respondents 1 to 3 are of the view that the assignment has been wrongly made, the same can be cancelled by issuing a due showcause notice to the petitioner, hearing the petitioner and depending on the outcome in the said proceedings, once again, the third respondent will be entitled to issue the no objection certificate. Only thereafter the TANGEDCO can proceed to give an electricity connection.

7. Accordingly, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

02.04.2025

Neutral Citation: Yes/No
nsl



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To
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D.BHARATHA CHAKRAVARTHY, J.

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