



W.P.No.12559 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.04.2025

CORAM:

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

W.P.No.12559 of 2025

and

W.M.P.No.14143 of 2025

N.LATHA

... Petitioner

Vs

1. THE ASSISTANT ENGINEER,
TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED,
TANGEDCO, NO. 86, CHOLAMBEDU ROAD,
THIRUMULLAIVOYAL,
CHENNAI - 600 062.

2. N. RAMESH

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for records relating to the first respondent's impugned order in Ref.ந.க.எண்.உபொ.இ & பா/திருமுல்லைவாயல்/கோப்பு.உத்தரவு/எண்.16, dated 03.02.2025 and quash the same and consequently direct the first respondent to restore the electricity service connection No.055-132-4775 to the petitioner's property situated in New Survey No.99/1, Ward-D, Block No.0013, Plot No.41, Thendral Nagar Thirumullaivayal, Chennai.

For Petitioner

: Mr.S.Marshall



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For R1

: Ms.Keerthana R.Shenoi
assisted by Mr.L.Jaivenkatesh,
Standing Counsel (TANGEDCO)

ORDER

This writ petition is filed challenging the impugned order dated 03.02.2025. By the said order, the electricity connection granted to the petitioner is disconnected.

2. Upon hearing the learned counsel appearing for the petitioner and the learned Counsel appearing on behalf of the first respondent and perusing the material records of the case, as well as the written report submitted by the learned Counsel appearing for the first respondent, it can be seen that earlier, the second respondent herein had filed W.P.No.16727 of 2024 to disconnect the electricity connection. However, by an order dated 27.06.2024, this Court directed the first respondent, namely the Assistant Engineer, to conduct an enquiry and pass orders.

3. It is now stated by the learned Counsel appearing for the first respondent that in the enquiry, the second respondent alone participated and produced documents, but the petitioner did not produce the required documents in support thereof.



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WEB COPY 4. In reply thereof, the learned counsel appearing for the petitioner submits that the petitioner's documents are not forged as contended by the second respondent. As a matter of fact, the petitioner is the first purchaser from the year 1994. The second respondent is only the second purchaser from the year 1995 and as such, the first purchase should be held as valid.

5. I have considered the rival submission made on either side and perused the material records of the case.

6. It can be seen that, by adding the second respondent as well as the electricity board authorities, the petitioner has filed O.S.No.245 of 2024 on the file of the District Munsiff, Ambattur. Therefore, when the *inter se* title dispute is being canvassed before the Civil Court by duly adding the electricity authorities, now pending the suit, any interim order regarding reconnection or disconnection, etc., should be prayed for in the same suit.

7. It is made clear that the Civil Court can examine the issue dehors the fact that the order was passed pursuant to the direction of this Court. Therefore, it will be open for the petitioner to move such an interim



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application, even for reconnection pending the suit. After hearing both sides and depending on the *prima facie* case, the Civil Court will be entitled to order reconnection, and the authorities will abide by the order passed by the Civil Court.

8. With the above liberty preserved for the petitioner, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

08.04.2025

Neutral Citation: Yes/No
nsl

To

1. THE ASSISTANT ENGINEER,
TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED,
TANGEDCO, NO. 86, CHOLAMBEDU ROAD,
THIRUMULLAIVOYAL,
CHENNAI - 600 062.



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D.BHARATHA CHAKRAVARTHY, J.

nsI

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