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WP No. 11967 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 11967 of 2024
and
WMP.No. 13052 of 2024**

Mubeena Nowsath Ali

Petitioner(s)

Vs

1. The District Collector,
Vellore District, Vellore.

2.The Executive Officer,
Operation & Maintenance,
Tamil Nadu Electricity Board,
Gudiyattam Town-1, Gudiyattam.

3.The Assistant Engineer,
Operation & Maintenance,
Tamil Nadu Electricity Board,
Gudiyattam Town-1, Gudiyattam.

Respondent(s)

PRAYER:- Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorari, calling for the records relating to the demand letter dated 21.02.2020 in Ka.No.A.E /O & M / Na-1 / Gudi / Ko. Thani/ No. 319 / 2019-2020 issued by the Assistant Engineer, Operation & Maintenance, Tamil Nadu Electricity Board, Gudiyattam Town-1, Gudoyattam third respondent herein and quash the same.



For Petitioner(s): Mr.A.V.Arun for Mr.R.Vinothkumar

For Respondent(s): Mrs.S.Anitha
Special Government Pleader for R1
Mr.S.Madhusudanan for R2 and R3

ORDER

This Writ Petition is filed, challenging the impugned demand letter dated 21.02.2020 demanding a sum of Rs.3,25,478/- from the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a resident of New No.438, Old No. 6/109, New Aliyar 2nd Street, Seevur Village, Kallur Panchayat, Gudiyattam, Vellore District and the said property was purchased by the petitioner through a registered sale deed dated 05.02.2018 on the file of the Sub-Registrar, Gudiyatham from one M.Geetha, wife of one Late C.G.Pudumai. It is stated that though the property was owned by his wife, the electricity connection in No.461-109-1221 associated with the aforementioned property purchased by the petitioner was originally registered in the name of late C.G.Pudumai. After purchase, the petitioner made an application for transferring the EB connection in his name, pursuant to which, the 3rd respondent passed the impugned order, directing the petitioner to pay a sum of Rs.3,25,478/-. Challenging the same, the present writ petition is filed.



3. The learned counsel appearing for the petitioner would submit that the petitioner's Vendor / M.Geetha and her husband / C.G.Pudumai owned two properties but electricity service connections for the properties owned by them were effected in the name of the petitioner's vendor husband namely, C.G.Pudumai and the commercial property owned by him in EB Connection No.461-109-693, there was due to the tune of Rs.1,22,822/-. For non-payment of the said amount, the same was attached in the electricity service connection associated with the property purchased by the petitioner, to which, the petitioner is not liable. After purchase, adding belated payment of surcharge and other petitioner charges, the 3rd respondent demanded a sum of Rs.3,25,478/- from the petitioner, which is not acceptable one. He would further submit that the petitioner, being the innocent purchaser and there is no provision for attaching the liability of the petitioner's vendor's husband.

4. The learned counsel for the petitioner, on instructions, however submit that the petitioner ready to pay Rs.1,22,822/-, the original amount claimed by the respondent within a period of four weeks and after receipt of the same, the respondent may be directed to transfer the electricity connection in the name of the petitioner.



5. The learned counsel for the respondent would submit that admittedly, the petitioner's vendor namely, M.Geetha and her husband C.G.Pudumai possessed two properties and obtained two electricity connection, in which, one electricity connection owned by the petitioner's vendor husband namely, C.G.Pudumai and there was a due to the tune of Rs.1,22,822/- and the same was attached in the electricity connection owned by the petitioner on 07.08.2010 and suppressing the attachment of the amount in the electricity connection, the property has been transferred in favour of the petitioner in the year 2018.

6. Heard the learned counsel appearing for the petitioner and the respondent.

7. The facts of the present case is undisputed. Admittedly, the petitioner's vendor namely, M.Geetha possessed the property, to which, the electricity connection was obtained in the name of her husband is equally undisputed. The petitioner's vendor's husband also possessed service connection in his name in the property owned by him. Though the property owned by the petitioner's vendor and the property owned her husband is different property, however, the service connection stands in the name of the petitioner's vendor husband. Admittedly, there was a due in service connection related to the property owned by the vendor's husband and the same was attached in the service connection



owned by the petitioner. Admittedly, the attachment order dated 07.08.2010 passed by the petitioner's Vendor or by the petitioner.

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8. However, considering the facts and circumstances of the case, the petitioner being the innocent purchaser, he purchased the property in the year 2018 and till 2018, the respondent not taken effective steps to recover the amount from the service holder and in order to quietus the issue, there will be a direction to the petitioner to pay the due amount of Rs.1,22,822/- without interest or B.P.S.C. to the respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent concerned is directed to transfer the service connection in favour of the petitioner after receiving charges for transfer, apart from the due amount.

9. This Writ Petition is disposed of with the above terms. No costs.

18-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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