



W.P. No.16341 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 21.11.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M. DHANDAPANI**

**W.P. No.16341 of 2024**

P.Kandhan

...Petitioner

Vs.

1.The Chief Executive Engineer,  
Tamil Nadu Electricity Board,  
Urrapakkam.

2.The Executive Engineer,  
Tamil Nadu Electricity Board,  
Urrapakkam.

3.The Revenue Divisional Officer,  
Tambaram,  
Chengalpattu District.

...Respondents

**Prayer :** This writ petition has been filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, call for records in



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Na.Ka.No.91/2024/A1 dated 23.01.2024 and quash the same and consequently direct the Revenue Divisional Officer to issue the No Objection Certificate for securing the electricity service connection to the property situate at No.11/172, Annai Ambedkar Nagar, Mannivakkam Village, Vandalur Taluk, Chengalpattu District and thereby enable the grant of power supply to the above mentioned property within a time frame fixed by this Hon'ble Court.

For Petitioner(s) : M/s.Vasudha Thiagarajan

For Respondent(s) : Mr.L.Jai Venkatesh  
(For R1 & R2)

Mrs.S.Anitha  
Special Government Pleader  
(For R3)

## **ORDER**

The present writ petition has been filed to quash the order dated 23.01.2024 passed by the third respondent and to direct the 3<sup>rd</sup> respondent/Revenue Divisional Officer to issue No Objection Certificate for securing the electricity service connection



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to the property situate at No.11/172, Annai Ambedkar Nagar, Mannivakkam Village, Vandalur Taluk, Chengalpattu District.

2. The learned counsel for the petitioner would submit that the petitioner has been residing in the premises at Door No.11/172, Annai Ambedhkar Nagar, Mannivakkam Village, Vandalur Taluk, Chengalpattu District for more than ten years and that three electricity service connections bearing Nos.584-005-891, 584-005-890, 580-013-513 were disconnected by the authorities in 2017 during the removal of encroachments near the Mannivakkam culvert. The petitioner further submitted that while more than 500 households in the same locality continue to enjoy electricity supply, the respondents have not restored his service, despite repeated representations dated 10.01.2018, 17.06.2019 and 25.12.2020.

3. The learned counsel for the petitioner would further submit that the VAO's report dated 15.04.2023 and the report of the Inspector dated 13.04.2023 clearly



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recommend restoration of supply and that the subsequent rejection of his request for a

No Objection Certificate on 23.01.2024 is arbitrary and contrary to the directions issued in W.P.No.21524 of 2023. The denial of NOC causes grave hardship, compels the petitioner's family to live without power solely because the house lies near the culvert and is discriminatory, when similarly placed residents continue to enjoy service connections. Challenging the order passed by the third respondent on 23.01.2024, the present writ petition has been filed.

4. The learned respective learned counsels for the respondents would submit that the petitioner's property lies in Survey No.249, classified in the village accounts as "Odai Poramboke", a water course land, where construction is impermissible and where an NOC for electricity connection cannot be granted. During the personal enquiry conducted on 30.11.2023, it was found that the petitioner had constructed a two-storied building in the said land, encroaching an extent of 2400 sq.ft and rented the same. It is further submitted that several houses in the areas also remain without electricity as they



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fall within waterbody land and therefore, the petitioner cannot claim discrimination. The reports issued by the VAO and the Inspector cannot override statutory land classification entries.

5. Further, the petitioner himself has admitted that he and his family are not presently residing in the property and are seeking electricity only for rental purposes. It is further submitted that earlier writ petitions filed by the petitioner including W.P.Nos.21524 of 2023, relate to the same survey number and the issue has already been adjudicated. Since the land is a “Odai Poramboke” and any construction is objectionable and liable for removal, the respondents contend that granting an NOC would amount to regularising an encroachment, which is legally impermissible.

6. Heard the learned counsel for the petitioner and the respective learned counsel for the respondents and perused the materials available on record.



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7. This Court is of the considered opinion that it is clear that the petitioner seeks restoration of electricity based on earlier service connections that existed prior to the clearance of encroachments. However, the consistent stand of the respondents, supported by the village accounts and the inspection report dated 30.11.2023, is that the petitioner's land was classified as "Odai Poramboke", where no construction is permissible and issuance of an NOC is legally barred. The petitioner has not produced any revenue records to disprove its classification. Further, the records show that the petitioner's construction encroaches upon 'Odai land' and that the request for electricity is predominantly for rental purposes. Granting electricity service connection in such circumstances would virtually recognise and validate an encroachment over a waterbody, which cannot be permitted in law.

8. In view of the fact that the petitioner's land is classified as "Odai Poramboke" and issuance of electricity service connection or an NOC would amount to recognising an encroachment over a watercouse and considering that W.P.No.21524 of 2023 has



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already concluded the issue relating to the same survey number, the writ petition is dismissed. However, there shall be no order as to costs.

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Index : Yes/No

Internet: Yest/No

Speaking or Non-speaking order

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**M. DHANDAPANI, J.**

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