



W.P.No.24710 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 29.07.2025

CORAM :

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.24710 of 2025

N.Ethiraj

..

Petitioner

v.

1. The Tamil Nadu Electricity Board (TNEB)

rep by its Chairman

No.800, Anna Salai

Chennai 600 002

2. The Executive Engineer

Tamil Nadu Electricity Board

Arakkonam Electricity Distribution Circle

No.1/50, S.H.58, Ranipet Road

Near Old Bus Stand

Arakkonam 631 001

3. The Assistant Engineer (Operations and Maintenance)

Tamil Nadu Electricity Board

Guruvarajpet EB Circle

Arakkonam

4. R.Anandhan

(R4 impleaded vide order of Court

dated 15.07.2025 in WMP.29844/2025

in WP.24710/2025)

..

Respondents



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Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the order Ka.En.221/A.E/OM/ Guruvarajpet/ Section/ F.Agriculture Name Transfer/2025-2026 dated 14.03.2025 passed by the third respondent and quash the same as arbitrary and illegal and order the respondents to transfer the S.C.No.96 to the name of the petitioner from the name of Krishnan, his predecessor in title.

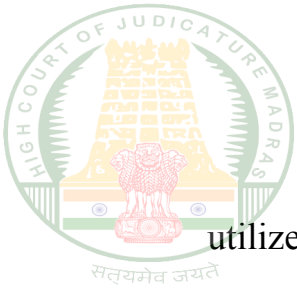
For Petitioner :: Mr.V.Pavel

For Respondents :: Mr.S.Madhusuthanan
Standing Counsel for R1 to R3
Mr.K.Sasindran for R4

ORDER

This writ petition has been filed challenging the impugned proceedings of the third respondent dated 14.03.2025 and for a consequential direction to the third respondent to transfer the electricity service connection No.96 situate in S.F.No.136/2A, in the name of the petitioner from the name of the predecessor in title, Krishnan.

2. The case of the petitioner is that he is the owner of the subject property and the electricity connection in S.C.No.96 stood in the name of one Krishnan, who is the predecessor in title. This electricity connection was



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utilized for the purpose of drawing water from the well situated in S.F.No.146/8. The property was inherited by the widow of the said Krishnan and the property was ultimately settled in favour of the petitioner through a registered settlement deed dated 04.09.2021.

3. The petitioner filed a suit in O.S.No.184 of 2021 seeking for the relief of declaration and permanent injunction against the impleaded fourth respondent. The suit was decreed ex parte by the judgment and decree dated 13.03.2023.

4. The petitioner submitted an application along with the required fees and sought for the transfer of the EB connection in his name.

5. The third respondent, on receipt of the application, through the impugned proceedings dated 14.03.2025, directed the petitioner to get an NOC from the co-owner of the property, failing which the service connection will not be transferred in the name of the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court.



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6. The learned counsel appearing on behalf of the fourth respondent questioned the very legality of the decree that was passed in O.S.No.184 of 2021 by the Sub Court, Arakkonam by judgment and decree dated 13.03.2023.

7. It is not necessary for this Court to go into the legality of the judgment and decree passed by the civil Court, in exercise of jurisdiction under Article 226 of the Constitution of India. If at all the fourth respondent is aggrieved, the fourth respondent should only agitate his right before the competent Court, questioning the judgment and decree passed in O.S.No.184 of 2021.

8. On carefully going through the decree that was passed in O.S.No.184 of 2021, the schedule of property reads as if S.C.No.96 is situate at S.F.No.136/2A. Apart from that, the schedule of property also includes S.F.No.146/8A, which also has a well, where the petitioner is claiming for half share.



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9. The specific case of the petitioner is that S.C.No.96 is situated at S.F.No.146/8A and hence the service connection must be transferred to the name of the petitioner, in line with the decree and that there is no requirement to get a No Objection Certificate from the fourth respondent.

10. Per contra, the stand taken by the fourth respondent is that S.C.No.96 does not pertain to S.F.No.146/8A and therefore the very claim made by the petitioner is unsustainable.

11. The learned Standing Counsel appearing on behalf of TANGEDCO submitted that an inspection was made and it was found that S.C.No.96 is not situate at S.F.No.136/2A. It is actually situated at S.F.No.146/8A. Since the fourth respondent is the co-owner of that property, the petitioner was directed to get the No Objection Certificate from the fourth respondent.

12. The decision taken by the TANGEDCO cannot be faulted in this case. Ultimately, the TANGEDCO has made a physical inspection of the



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property and found that S.C.No.96 is situated only in S.F.No.146/8A and not in S.F.No.136/2A. If that is the case, the very claim made by the petitioner to transfer the electricity connection becomes unsustainable. In view of the same, the impugned proceedings issued by the third respondent do not suffer from any illegality. If ultimately S.C.No.96 is situate at S.F.No.146/8A and admittedly the fourth respondent is having half share over the property as a co-owner, no objection has to be obtained from the fourth respondent.

13. This writ petition is disposed of in the above terms. No costs.

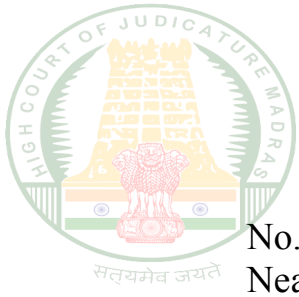
Index : yes/no
Neutral citation : yes/no

29.07.2025

SS

To

1. The Chairman
Tamil Nadu Electricity Board (TNEB)
No.800, Anna Salai
Chennai 600 002
2. The Executive Engineer
Tamil Nadu Electricity Board
Arakkonam Electricity Distribution Circle



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