



W.P.No.17349 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 18.09.2025**

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

**W.P.No.17349 of 2025**  
**and**  
**W.M.P.No.19661 of 2025**

Annadurai Kannadhasan

... Petitioner

Vs.

1.The Chairman,  
Tamil Nadu Electricity Board (TANGEDCO) (TNEB),  
No.800, Annasalai,  
Chennai – 600 002.

2.The Assistant Engineer,  
Tamil Nadu Electricity Board,  
East Tambaram,  
Chennai – 600 059.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1<sup>st</sup> and 2<sup>nd</sup> to take appropriate steps to declare the extent of 354 sq.ft. of vacant land in S.No.646 belonging to the government as pathway for the property situated in S.No.645 in compliance with the order passed by Court of District Munsif, Tambaram in O.S.No.161 of 2010 dated 21.01.2011.

For Petitioner : Mr.M.Mohamed Muzhammil



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For Respondents : Mr.L.Jai Venkatesh  
Standing Counsel

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### **ORDER**

Though the petitioner is armed with a decree in his favour granted by the District Munsif Court, Tambaram, as filed this writ petition seeking a Mandamus on the respondents 1 and 2 to declare an extent of 354 sq.ft. of land in S.No.646, belonging to the government as pathway of the property situated in S.No.645.

2. The petitioner's mother had purchased an extent of 1 acre and 72 cents in Survey No.645 at Madambakkam Village. She settled her property to all the five sons; each entitled to about 0.25 cents. S.No.646, the adjoining property was lying vacant and the said property was Government poromboke land.

3. It is the case of the petitioner that the Tamil Nadu Electricity Board constructed a new sub-station in S.No.646. According to the petitioner, the access to his property was blocked because of the construction of the sub-station. Claiming his right for a pathway, the



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petitioner had filed a suit in O.S.No.161 of 2010 before the District Munsif, Tambaram and the said suit was decreed. Thereafter, the petitioner applied for electricity service connection before the Tamil Nadu Electricity Board, for which, the authorities had stated to the petitioner that if he drops the claim for access through S.No.646, then the electricity service connection will be issued. Seeking for a direction to respondents to declare S.No.646 as government pathway, the present writ petition is filed.

4. The 2<sup>nd</sup> respondent had filed a detailed counter affidavit, wherein it is stated that decree obtained by the petitioner was an *ex-parte* decree and the respondents were never given a chance to putforth their case. The 2<sup>nd</sup> respondent has also stated that an Interlocutory Application has been filed by the respondents before the District Munsif, Tambaram to set aside the *ex-parte* decree and the same is now pending. Be that as it may, this writ petition is misconceived. Once the petitioner has obtained a decree from the trial court, it is for him to workout his remedies. The petitioner has not stated anywhere in the affidavit as to why he did not choose to file an execution petition to execute the decree. This Court is



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not inclined to go into all these aspects.

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5. The Writ Petition is dismissed giving liberty to the petitioner to workout his remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No  
Speaking order / Non-speaking order  
Neutral Citation Case : Yes / No  
sp



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**M.DHANDAPANI, J.**

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