



Writ Petition No.25109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25109 of 2025

Sarah Peter

W/o.Tony Daniel Jayakumar

... Petitioner

Vs.

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Alandur - Guindy,
Chennai - 600 016.

2.The Assistant Engineer O&M (TNEB),
No.33/11, KV Alandur SS Complex,
M.K.N.Road, Alandur,
Chennai - 600 016.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to change the Electricity Service Connection bearing No.09241027700 and 09241027704 in the name of the petitioner Sarah Peter as per the Will dated 06.10.2021, which stands in the name of the deceased Mr.Peter.

For Petitioner : Ms.J.Priscilla Pandian

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to change the electricity service connection in the name of the petitioner based on the registered Will dated 06.10.2021, which is relied upon by the petitioner.

2. Heard Ms.J.Priscilla Pandian, learned counsel for the petitioner and Mr.L.Jaivenkatesh, learned Standing Counsel appearing for respondents.

3. The case of the petitioner is that his father has bequeathed the subject property to the petitioner through a registered Will dated 06.10.2021. The father died on 01.07.2023. On his demise, the petitioner became the absolute owner of the subject property. Thereafter, the petitioner submitted an application through online mode seeking for transfer of electricity service connection in the name of the petitioner on 30.12.2024. The said application was rejected on the ground that the second respondent cannot act upon the Will submitted by the petitioner. It is under these circumstances, the present writ petition came to be filed before this Court.



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4. Learned Standing Counsel appearing on behalf of the respondents submitted that if the petitioner is relying upon the Will, the same has to be probated. To substantiate this submission, learned Standing Counsel relied upon the earlier order passed by this Court in W.P.No.10427 of 2025 dated 27.03.2025.

5. In the considered view of this Court, probating a Will would arise only if the Will has been executed within the Madras Presidency or the property is situated within the Madras Presidency. In the case in hand, everything has taken place at Alandur, which is beyond the jurisdiction of the Madras Presidency. Therefore, there is no requirement for probating the Will executed in favour of the petitioner. In view of the above, there shall be a direction to the petitioner to submit a fresh application through online mode to the second respondent along with all relevant particulars. On receipt of the same, the second respondent shall transfer the electricity service connection subject to the petitioner fulfilling all the other requirements. This process shall be completed within a period of four (4) weeks from the date of receipt of fresh online application from the petitioner.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs.

10.07.2025

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

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