



WEB COPY

WP No. 26900 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 26900 of 2025

J.Shanmuganathan

Petitioner(s)

Vs

1. Executive Engineer, (operations And Maintenance)
Maraimalai Nagar, TANGEDCO,
No 110, GST Road, Maraimalai Nagar,
Chennai 603 209

2.Divisional Engineer, TANGEDCO
Grand Southern Trunk Road,
Opposite The New Bus Stand,
Guduvanchery

3.Assistant Engineer, TANGEDCO,
Grand Southern Trunk Road,
Opposite The New Bus Stand,
Guduvanchery

4.R. Jayalakshmi
No. 14, Aringar Anna Street,
(Railway Station Road), Nandhivaram,
Guduvanchery 603202

Respondent(s)

PRAYER

This writ petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records of the 3rd Respondent dated 17.02.2025, quash the same and direct the respondents to issue Electricity Service Connection to the house of the petitioner viz., No 9 Anna Street, Guduvanchery 603 202.



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For Petitioner(s): Mr. N.Sivaprakash

For Respondent(s): Mr. L. Jayvenkatesh,
Standing Counsel
for R1 to R3

Mr. Ar.M.Arunachalam,
For R4

ORDER

Challenging the order refusing to provide electricity supply to the petitioner's property passed by the third respondent, the present writ petition has been filed.

2. The learned counsel for the petitioner would submit that by way of partition deed in O.S.No.416 of 2023 on the file of the Subordinate Court, Chengalpattu, the property in which electricity connection was sought by the petitioner was allotted to his father. In turn, his father executed a settlement deed in his favour on 28.08.2023. Earlier, on 27.03.2024, the petitioner applied for electricity connection. The first respondent, sent a letter dated 02.04.2024 stating that low-voltage electricity connection is there and advised the petitioner to take steps to shift the electrical post, complete the construction and file a fresh application after completion of the work. Pursuant thereto, he has applied for shifting of the low-tension electricity post as well as for a new connection.



3. However, the impugned order came to be passed on the ground that the fourth respondent, who is paternal aunt of petitioner, has raised objections stating that there is a civil dispute pending between them and therefore, electricity connection cannot be granted and shifting is not possible.

4. Whereas, the learned counsel for the fourth respondent would submit that the petitioner does not have any title over the property. The title, according to them, has already been decided in S.A.No.2182 of 1986 by this Court. The petitioner relies upon the settlement deed said to have been executed by his father, which is not valid in the eye of law. Therefore, according to the fourth respondent, the petitioner does not have any title over the property. Hence, the writ petition is liable to be dismissed.

5. The learned counsel would further submit that though in the aforesaid partition suit in O.S.No.416 of 2003, a final decree has been passed in favour of the petitioner's father, as against the preliminary decree, an appeal in AS.No.5 of 2014 is pending.

6. I have considered the matter in the light of the submissions made on both sides and perused the materials placed on record.



7. Admittedly, the petitioner is in possession of the property and the final decree has already been passed. Now it appears that preliminary decree was challenged by the fourth respondent. Though earlier challenges regarding the validity of the documents have not succeeded, the fact that the final decree in the partition suit has been passed in favour of the petitioner.

8. Be that as it may, when a person is already in possession, mere giving electricity connection will not take away the right of the fourth respondent, in the event the fourth respondent succeeds in the civil suit. A mere domestic or agricultural connection in the name of the petitioner will not elevate him to a better position regarding title. Ultimately, the title and the rights of the parties must be decided only in the civil suit. Even assuming the petitioner loses his rights in the subject property, mere giving electricity connection will not prejudice the rights of the fourth respondent in the event he succeeds in the appeal.

9. Considering the said position, as the petitioner is in possession of the property, the impugned order passed by the third respondent is set aside. The respondents 1 to 3 are directed to consider the application of the petitioner and grant electricity connection, after obtaining the necessary indemnity bond from the petitioner. Such exercise shall be completed within a period of two months



from the date of receipt of a copy of this order.

WEB COPY 10. With the above observations and directions, this writ petition is disposed of. No costs.

11-12-2025

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

mrp

To

1.Executive Engineer, (operations And Maintenance)
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Gst Road, Maraimalai Nagar,
Chennai 603 209

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