



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 30979 of 2025

M.Sridhar

Petitioner(s)

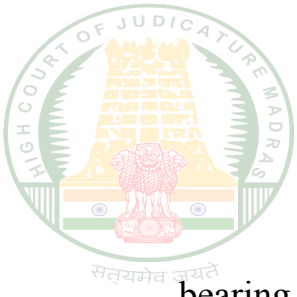
Vs

1. The Assistant Engineer
Tamilnadu Generation and Distribution Corporation Limited,
Salavanpet Division,
Fort Round, Opp. Periyar Park,
Vellore-04.

2.Bhuvaneshwari

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent dated 07.05.2025 rejecting the petitioner dated 13.03.2025



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bearing Application No.200082170325207 and quash the same and consequently directing the 1st respondent to grant electricity connection without insisting NOC from the 2nd respondent.

For Petitioner(s): Mr.K.Venkatasubban
for M/s.Sarvabhauman Associates

For Respondent(s): Mr.S.Madhusudanan
Standing Counsel

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent dated 07.05.2025, rejecting the application submitted by the petitioner on 13.03.2025, seeking for grant of electricity connection without insisting for NOC from the 2nd respondent.

2.Heard Mr.K.Venkatasubban, learned counsel appearing on behalf of the petitioner and Mr.S.Madhusudanan, learned Standing Counsel appearing on behalf of the 1st respondent.



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3.The case of the petitioner is that the subject property was owned by his father. He died on 08.05.2008, leaving behind the petitioner, his mother, his brother and the sister who is the 2nd respondent herein. Thereafter, the mother also died and the brother and brother's wife also died in the year 2023 and 2016 respectively. After the demise of the brother and the sister-in-law, the petitioner is taking care of the children of his brother and he was collecting the rent derived from the shops. The further case of the petitioner is that there is only one common connection for three shops due to which there was some problem. Therefore, the petitioner applied for two new connections under commercial tariff through application dated 13.03.2025. Since the 2nd respondent who is the sister was not prepared to give NOC, the petitioner also furnished indemnity bond as required in the application.

4.The grievance of the petitioner is that the 1st respondent through the online rejection order has rejected the application on the ground that the

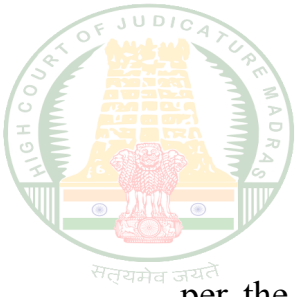


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petitioner did not get NOC from the 2nd respondent. It is under these circumstances, the present writ petition has been filed before this Court.

5. In the considered view of this Court, there is some dispute between the petitioner and his sister. The learned counsel for the petitioner submitted that till date no proceedings are pending before any Court between the petitioner and the 2nd respondent. In view of the same, the petitioner has submitted indemnity bond along with the application. In the indemnity bond, the petitioner has mentioned as if he is the lessee in the property and whereas, the petitioner claims to be the co-owner of the property.

6. The specific case of the petitioner is that he has leased the shops and he is receiving the rents. Earlier there used to be only one connection for three shops, which resulted in voltage fluctuation. Therefore, the petitioner wanted to get two additional service connection. The 2nd respondent who is also a co-owner was not willing to give NOC to the petitioner. Therefore, as



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per the application, the petitioner has to submit an indemnity bond. In the indemnity bond, the petitioner has to specifically mention that he is the co-owner of the property. That apart, if at all the 2nd respondent has any right over the property, the 2nd respondent has to workout her remedy before the Civil Court and cannot merely give a objection and thereby, prevent the grant of two additional connections to two shops.

7. In the light of the above discussion, there shall be a direction to the petitioner to submit a fresh application before the 1st respondent along with all the relevant documents and also indemnity bond by mentioning that the petitioner is the co-owner of the property. On receipt of the same, the 1st respondent shall act upon the application and provide the service connection if the petitioner has completed all the other formalities. This process shall be completed by the 1st respondent, within a period of four weeks from the date of receipt of the fresh application from the petitioner.



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8.This writ petition is disposed of with the above directions. No Costs.

No Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



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To

The Assistant Engineer
Tamilnadu Generation and
Distribution Corporation Limited,
Salavanpet Division, Fort Round,
Opp. Periyar Park, Vellore-04.



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N.ANAND VENKATESH J.

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