



W.P. No.33179 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.33179 of 2025

Kantharaj

... Petitioner

vs.

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Coimbatore – EB Distribution / North
Ku. Vadamadurai,
Coimbatore – 641 017.

2. Ponnusamy

3. A.S. Thangavel

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, to call for the records in Letter SE.PO./Ku.Vadama/Va.Aa.Co.complaint/A. No.4200/2025, dated 04.08.2025 by the 1st respondent and quash the same and to direct the 1st respondent to provide EB connection to the house property comprised in Door No.77, KRM Residency, Senthoor Garden, S.S. Kulam, Kovilpalayam, Coimbatore.

For Petitioner

: Ms.T. Gnanabanu

For Respondents

: Mr.L. Jaivenkatesh
for R1

Mr.A.E. Ravichandran for R2

R3 – Not ready in notice



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ORDER

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This writ petition has been filed to call for the records in Letter SE.PO./Ku.Vadama/Va.Aa.Co.complaint/A. No.4200/2025, dated 04.08.2025 by the 1st respondent and to quash the same and to direct the 1st respondent to provide EB connection to the house property comprised in Door No.77, KRM Residency, Senthoor Garden, S.S. Kulam, Kovilpalayam, Coimbatore.

2. It is averred in the affidavit that the petitioner is the purchaser of a Flat at the aforementioned place from the 2nd respondent. The 2nd respondent is the owner of the property and the 3rd respondent is the Builder and initially, they entered into Agreements among themselves for the construction and development of property and pursuant to which, a subsequent agreement was entered into with the petitioner, mutually between them. Thereafter, based on the aforesaid agreements, he availed a loan of Rs.25,00,000/- from Indian Overseas Bank, Coimbatore and the said loan amount was directly credited to the account of the 2nd respondent, who in turn, failed to execute the sale deed in favour of the petitioner. However, the 3rd respondent Builder has constructed a building and the same was also handed over to the petitioner.

3. Later, he submitted an application before the 1st respondent seeking electricity connection for the aforesaid building by way of representation dated 05.05.2025, who in turn, directed him to submit documents of title deed. It is



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the grievance of the petitioner that due to dispute between respondents 2 and 3, he is unable to submit the sale deed showing his title to the property. However, it is the contention of the petitioner that except title deed, all documents viz., Aadhaar card, gas bill and loan documents were submitted to the 1st respondent in support of his physical possession. Subsequently, by way of legal battle, very many steps were taken to obtain revenue records, which resulted in vain. Such being the position, shockingly, the impugned rejection order dated 04.08.2025 has been passed by the 1st respondent, that too without affording an opportunity of personal hearing to the petitioner. Hence this writ petition has been filed with the aforesaid prayer.

4. Learned counsel for the petitioner would submit that the 1st respondent failed to consider the physical and continuous possession of the property with the petitioner. He further argued that the petitioner has produced construction agreement entered into between the petitioner and the developer and in the absence of any dispute over the property, the impugned rejection order dated 04.08.2025 passed by the 1st respondent without providing an opportunity to the petitioner is bad in law. He vehemently argued that at any rate, denying basic amenities viz., providing electricity connection to the petitioner's property, is illegal. In view of the above, he prays for quashment of the impugned rejection order dated 04.08.2025 passed by the 1st respondent as well as seeking for



issuance of appropriate directions by this Court.

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5. Learned counsel for the 1st respondent would submit that without any valid title deed, the petitioner had approached the authorities concerned seeking electricity connection for the subject building, which is allegedly stated to be that of the petitioner. In the light of the above, the rejection order passed by the 1st respondent, dated 04.08.2025 is justifiable and valid and, therefore, no interference is warranted with the same. Accordingly, he prays for dismissal of this writ petition.

6. Learned counsel for the 2nd respondent submitted that without obtaining proper approval from the competent authorities, a building construction was completed by the 3rd respondent. Further, it is argued that the 2nd respondent intends to file a civil suit against the 3rd respondent, claiming ownership of the said property. Therefore, this Court may issue suitable directions in the above regard.

7. Heard the learned counsel for the petitioner as well as learned counsel for the 1st and 2nd respondents. When the matter was taken up for hearing, there was no appearance on the side of the 3rd respondent.

8. This Court perused the records filed in support of this writ petition.

9. Admittedly, the 2nd respondent is the owner of the land in question.



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On perusal of records, it reveals that the 3rd respondent, who is stated to be a Promoter, appears to have constructed certain row houses in the said property without any valid agreement with the landowner and also has not obtained proper approval from the competent authority. From the submissions, it is noted that on the other hand the banking authorities have also filed a suit for recovery of the loan amount. The second respondent has also stated that he intends to institute appropriate civil proceedings against the third respondent in respect of the said property. Even though, it is contended by the learned counsel for the petitioner that the petitioner has purchased one of the dwelling units, but no document such as a registered sale deed, construction approval, or completion certificate has been produced before this Court to substantiate the claim of the petitioner with regard to ownership. The above facts, even on the face of it reveals that there are disputed questions of fact involved. It could be safely concluded that in the absence of any valid title deed, building approval, or completion certificate, this Court cannot issue any positive directions to the 1st respondent as sought for by the petitioner. However, if the petitioner is able to establish his valid title over the property in future and produce all necessary documents including completion certificate and planning approval, it is open to him to make a fresh application before the competent authority for electricity connection, and on such application being made, the same shall be considered



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on merits and in accordance with law.

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10. This writ petition stands dismissed, with the aforesaid observations.

No costs.

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Index : Yes / No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2

To
The Executive Engineer,
Tamil Nadu Electricity Board,
Coimbatore – EB Distribution / North
Ku. Vadamadurai,
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M.DHANDAPANI, J.

vsi2



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