



WEB COPY



W.P. No.33813 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.33813 of 2023
and
W.M.P. No.33664 of 2023

P. Adhilakshmi

... Petitioner

vs.

1. The Chief Engineer / Personnel,
Tamil Nadu Generation & Distribution
Corporation Ltd.,
N.P.K.R.R. Maligai,
No.144, Anna Salai,
Chennai – 600 002.

2. The Chairman cum Managing Director,
Tamil Nadu Electricity Board Ltd.,
No.144, Anna Salai,
Chennai – 600 002.

3. The Assistant Engineer,
No.33, K.V. Sub Station,
Ground Floor,
Okkiyam,
(Behind Kannagi Nagar Bus Stand)
Thoraipakkam,
Chennai – 600 097.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Ka. No.Vu.Mi.Po./Em. Ce. N. Nagar/Co. Court/D. No.27/2023, dated 05.04.2023 on the file of the 3rd respondent, quash the same as arbitrary, illegal and unjustified and directing the 3rd respondent to



W.P. No.33813 of 2023

give Electric Service Connection to the petitioner's house bearing Door.

No.1/36, Post Office Street, Thuraipakkam, Chennai – 600 067.

For petitioner : Mr.R. Anbalagan
For respondents : Ms. Keerthana
for Mr.L. Jai Venkatesh

ORDER

This writ petition has been filed to quash the impugned order in Ka. No.Vu.Mi.Po./Em. Ce. N. Nagar/Co. Court/D. No.27/2023, dated 05.04.2023 on the file of the 3rd respondent and consequently direct the 3rd respondent to give Electric Service Connection to the petitioner's house bearing Door. No.1/36, Post Office Street, Thuraipakkam, Chennai – 600 067.

2. Short facts

a) The petitioner purchased a residential house at Thuraipakkam, Chennai, under a registered sale deed in the year 2006. The petitioner's house is situated at the end of a lane. It is the grievance of the petitioner that when the petitioner applied for electricity service connection, the 3rd respondent refused to provide the same, contending that there was no passage available to erect an electric pole, and that the connection would have to pass through the private property of a third party, who objected to such laying of line. It is the contention of the petitioner that the respondents declined to provide electricity connection even through underground electric cables, though similar



connections had been granted to other houses in the same lane. Aggrieved by the said refusal, initially, she approached the Civil Court and obtained an ad-interim injunction in I.A. No.1030 of 2012 in O.S. No.465 of 2012 on the file of the Principal District Munsif Court, Alandur.

b) Thereafter, the petitioner submitted an online application seeking electricity service connection. However, the same was rejected by the 3rd respondent on 06.12.2022, citing pendency of civil disputes and lack of access for erecting the pole. Subsequently, she submitted a representation dated 13.03.2023 to the 1st respondent. As no orders were passed, the petitioner filed W.P. No.11456 of 2023, and this Court, by order dated 17.04.2023, directed the 3rd respondent therein to consider the said representation. Further in the said order dated 17.04.2023, it was also recorded that that though petitioner's application had already been rejected, but the said rejection order had not been produced at that time. Thereafter, alleging non-compliance, the petitioner filed Contempt Petition No.2184 of 2023, which came to be closed on 22.09.2023, recording that the respondents had passed an order dated 05.04.2023, which is the impugned order in the present writ petition.

3. Learned counsel for the petitioner submitted that the petitioner had made a valid application for electricity service connection. However, the same was rejected solely on the ground that a civil suit is pending between the parties



and that there is no passage available for erecting an electric pole. He further submitted that when houses nearer to the petitioner's house are provided electricity connection, merely rejecting the request of the petitioner is discriminatory in nature and therefore, the same is arbitrary and illegal. Hence, he prayed for quashment of impugned order dated 05.04.2023 issued by the 3rd respondent and as well as for consequential directions to the 3rd respondent to give electricity service connection to the petitioner's house.

4. Per contra, learned Standing Counsel appearing for the respondents submitted that the dispute regarding access and passage is purely civil in nature and further submitted that one Kannaiyan, who is petitioner's neighbour, had obtained an interim injunction in O.S. No.210 of 2009, restraining interference through his property. He further contended that since the proposed electric line would necessarily pass through the private property of a third party, and the said private party has objected and obtained interim orders from the competent Civil Court, the respondents do not have the authority to provide electricity service connection in violation of such injunction. He also submitted that since the issue is pending adjudication before the competent Civil Court between the parties and therefore, the order dated 05.04.2023 is legally sustainable and any interference in the said order is unwarranted.



5. Replying to the above, learned counsel for the petitioner fairly submitted that owing to civil disputes, originally a suit arose in O.S. No.210 of 2009 on the file of the District Munsif Court, Alandur and, subsequently, the suit was transferred to the Sholinganallur Court and renumbered as O.S. No.797 of 2024. During the pendency of the said suit, the counter-part Kannaiyan died and therefore, the petitioner has approached this Court.

6. However, he now prayed that the petitioner may be permitted to work out her remedy before the Civil Court by filing an appropriate Interlocutory Application in O.S. No.797 of 2024, and this Court may issue suitable directions in the above regard.

7. This Court has carefully considered the rival submissions and perused the materials placed on record.

8. Considering the above submissions, it is evident that the rejection of the petitioner's application for electricity service connection is primarily based on the pendency of civil proceedings and the existence of an interim injunction obtained by the private party, namely Kannaiyan with regard to the disputed passage.

9. The question as to whether the petitioner is entitled to access through the said passage and whether electricity lines can be drawn through the subject property involves disputed questions of fact, which can only be adjudicated by



W.P. No.33813 of 2023

the Civil Court. Further, when an injunction order obtained by the private party in his favour, against the petitioner, the respondents are not in a position to consider the request of the petitioner for grant of electricity connection. When that being the position, this Court cannot issue any positive directions to the petitioner as well as not inclined to interfere the impugned order dated 05.04.2023. However, this Court is of the considered view that the petitioner can work out her remedy before the competent Civil Court. Accordingly, liberty is granted to the petitioner to file an appropriate Interlocutory Application in O.S. No.797 of 2024 on the file of the District Munsif Court, Sholinganallur Court, seeking necessary relief by impleading legal heirs of the private party viz., Kannaiyan . It is made clear that the impugned order passed by the respondents and the consequential directions shall be subject to the result of O.S. No.797 of 2024 and any orders that may be passed therein.

10. With the above liberty, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.10.2025

Index:Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2



WEB COPY



W.P. No.33813 of 2023

M. DHANDAPANI, J.

vsi2

To

1. The Chief Engineer / Personnel,
Tamil Nadu Generation & Distribution
Corporation Ltd.,
N.P.K.R.R. Maligai,
No.144, Anna Salai,
Chennai – 600 002.

2. The Chairman cum Managing Director,
Tamil Nadu Electricity Board Ltd.,
No.144, Anna Salai,
Chennai – 600 002.

3. The Assistant Engineer,
No.33, K.V. Sub Station,
Ground Floor,
Okkiyam,
(Behind Kannagi Nagar Bus Stand)
Thoraipakkam,
Chennai – 600 097.

W.P. No.33813 of 2023

29.10.2025