



WEB COPY



W.P. No.45219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.45219 of 2025
and
W.M.P. No.50368 of 2025

B.Vasudevan

Petitioner

Vs

1. The Executive Engineer (East)
Thiruvannamalai (East),
TNEB, Vengikkal,
Thiruvannamalai,
Thiruvannamalai District-606 604.

2.The Assistant Engineer (O & M)
TNEB Branch Office,
Vedanthavadi Village,
Kilpennathur Taluk,
Thiruvannamalai District-606 752.

3.Ramesh

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings K.No. JEE/O and M/ Vedhanthavadi/ Ko. Thani/ A.No.112, dated 26.02.2025 and quash the same.

For petitioner : Mr.C. Prakasam

For respondents : Mr.Swami Subramanian
for R1 & R2



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ORDER

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This writ petition challenges the communication of the 2nd respondent in K.No.JEE/O&M/Vedanthavadi/Ko.Thani/A.No.112 dated 26.02.2025 proposing to effect electricity service connection to the 3rd respondent's construction.

2. It is the case of the petitioner that he owns patta land in S.No.333/3 to an extent of 15 cents and has been using adjacent Government natham land in old S.No.336/2 (Part), new S.No.535/30 as pathway and cattle shed. While so, the 3rd respondent has encroached upon the said poromboke land and put up an unauthorized construction without plan approval. The petitioner submitted his objections before the 2nd respondent with regard to grant of electricity connection, proceeded based on a No Objection Certificate issued by the Tahsildar. Hence, the petitioner seeks to quash the impugned communication dated 26.02.2025.

3. Learned counsel for the petitioner submitted that without considering the objections raised by the petitioner, the respondents/Electricity Board effected electricity service connection to the poromoboke land of the 3rd respondent and the same is an unauthorised one. He also submitted that the said land was used as a pathway by the petitioner. He further argued that the 3rd



respondent already owned patta land and by way of influence, he obtained No Objection Certificate from the Tahsildar concerned. As the same amounts to illegality, he seeks for quashment of the impugned order dated 26.02.2025 issued by the 2nd respondent.

4. Learned counsel for the respondents 1 and 2 submitted that since the 3rd respondent has produced a No Objection Certificate issued by the Tahsildar, the respondents / Electricity Board processed his application in accordance with law. He further submitted that the petitioner's grievance regarding encroachment on natham land and use of pathway involves disputed questions of civil rights, which cannot be examined in this writ petition. Hence, he prayed for dismissal of this writ petition.

5. Heard the learned counsel on both sides and perused the materials placed on record. Since no adverse orders are passed against the private respondent viz., the 3rd respondent, notice to the 3rd respondent is dispensed with.

6. From the aforesaid submissions, it reveals that the impugned communication was issued based on the Tahsildar's No Objection Certificate. The issues raised by the petitioner related to right of access or encroachments



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cannot be resolved by invoking powers vested under Article 226 of the Constitution of India, as it requires appreciation of evidence . To give quietus to the issue on hand, the petitioner can agitate the same before competent Civil Court and obtain an interim injunction or remedy as sought by him. Further, this Court is of the view that grant of electricity service connection, does not confer any right over the property. Therefore, this Court does not find any fault in the impugned communication dated 26.02.2025 issued by the 2nd respondent.

7. For the aforesaid reasons, this writ petition does not find any merit and the same stands dismissed. However, liberty is granted to the petitioner to agitate his remedies before the competent Civil Court and seek appropriate relief including interim orders, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

24.11.2025

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



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M. DHANDAPANI, J.

vsi2

To

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Thiruvannamalai District-606 604.

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