



WEB COPY



W.P.No.48985 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.48985 of 2025
&
W.M.P.No.54713 of 2025

1. K.Kumar
2. S.Selvaraj

... Petitioners

Versus

1. Revenue Divisional Officer
Revenue Division Office, Chennai
Central Division, Chennai District

2.The Collector
Chennai District, Chennai

3.The Assistant Engineer
Operation And Maintenance,
Banu Nagar, Chennai Electricity
Distribution Division, TNEB (west)
Chennai-600 053

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Ceriorarified Mandamus to call for the records pertaining to the proceedings of the 3rd respondent dated 27-11-2025 vide Ka.No.Uo.Po/E & Pa/Banunagar/File No.581 and quash the same.



W.P.No.48985 of 2025

For Petitioner :Mr.V.Manohar

For Respondents : Mr.V.Jeevagiridharan
Additional Govt. Pleader for R1 and R2

Mr.L.Jaivenkatesh
Standing counsel for R3

ORDER

This writ petition has been filed challenging the order of the third respondent dated 27.11.2025 intimating the petitioner that the electricity service connection will be disconnected within 30 days without any prior intimation to the petitioner.

2. Heard Mr.V.Manohar, learned counsel appearing for the petitioner, Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for Respondents 1 and 2 and Mr.L.Jaivenkatesh, learned Standing counsel for the third respondent and with the consent of all the learned counsel this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Standing counsel for third respondent, on instructions, submitted that on the basis of the objection raised by a third party, the patta which originally stood in the name of the petitioner was cancelled and that was the reason for issuance of the impugned notice.



W.P.No.48985 of 2025

4. On a perusal of the notice it is seen that the impugned notice proceeds on the basis as if this Court decided in W.P.No.22634 of 2025 that the land does not belong to the petitioners. The learned counsel appearing for the petitioner has also brought to the notice of this Court the order in W.P.No.22634 of 2025 referred to in the impugned notice.

5. I have perused the order made by this Court in W.P.No.22634 of 2025 dated 25.06.2025. It is seen that the said writ petition has been closed on the basis that the representation of the writ petitioner has already been considered and order has been passed. This Court has not passed any order as to the nature of the possession or title. Therefore, the impugned order passed by the third respondent for disconnection of electricity connection by referring to said order is clear non-application of mind. This Court is of the view that mere cancellation of patta by the revenue authorities cannot be a ground for disconnecting the existing electricity connection. This Court is also informed that the order of the Tahsildar cancelling the patta is under challenge before the District Collector in appeal and in the appeal, the District Collector has sent a hearing notice and the appeal is still pending.

6. This Court is of the view that unless and until the rights of the parties are decided by a civil Court, the existing electricity service connection cannot be disconnected merely on the basis of revenue

3/6



W.P.No.48985 of 2025

proceedings cancelling the patta issued in the name of the petitioner. As the proceedings of the Tahsildar is under challenge before the District Collector, until the rights of the parties are decided conclusively, the existing electricity service connection shall not be disconnected.

In the light of the above, this writ petition is allowed and the impugned order of the third respondent dated 27.11.2025 is quashed and the third respondent is directed not to disconnect the existing electricity service connection until the rights of the parties are decided conclusively. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

16.12.2025

Index: Yes/No
Neutral Citation: Yes
gpa



W.P.No.48985 of 2025

To

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W.P.No.48985 of 2025

N. SATHISH KUMAR, J

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W.P.No.48985 of 2025

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