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W.P.No.49461 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.49461 of 2025
and
W.M.P.Nos.55260 & 55263 of 2025

K.Venkataraman

... Petitioner

Vs.

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation & Distribution
Corporation Ltd. (TANGEDCO)
N.P.K.R.R.Maligai,
Anna Salai, Chennai – 600 002.
- 2.The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd. (TANGEDCO)
Ariyalur – 621 713,
Ariyalur District.
- 3.The Executive Engineer,
Operation & Maintenance (O&M),
Tamil Nadu Generation & Distribution
Corporation Ltd. (TANGEDCO)
Ariyalur – 621 713,
Ariyalur District.
- 4.The Assistant Engineer,
Operation & Maintenance (O&M),
Tamil Nadu Generation & Distribution
Corporation Ltd. (TANGEDCO)
Senthurai/Gramiam-2,
Ariyalur District.



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5.Kalyanasundaram

... Respondents

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 impugned order dated 13.03.2025 passed by the 3rd respondent in Ka.No.Oo.Mi.Po/E & Ka/Ki.2/Sendurai/Va.Aa/Ko.Mi.E.Vi.Cancellation/Aa.No.126/2025 and its consequential order of the 3rd respondent dated 08.04.2025 in Ka.No.Che.Po./E&Ka/Ari/Varai/Ko.Complainant/Aa.No.01/2025 and quash the same, and consequently directing the respondents 2 to 4 to provide electricity service connection to the petitioner's residential house in respect of his property bearing Door No.5/183-C, Ration Shop Street, comprised in S.No.57/2, Kodukkur Village, Andimadam Taluk, Ariyalur District, based on his application dated 08.03.2025.

For Petitioner : Mr.M.R.Jothimanian

For R1 to R4 : Mr.D.Sureshkumar
Standing Counsel

ORDER

Challenging the orders of the 3rd respondent, dated 13.03.2025 and 08.04.2025, rejecting the request of the petitioner to effect electricity service connection in his name in respect of his property in S.No.57/2, situated at Kodukkur Village, Andimadam Taluk, Ariyalur District, the present writ petition has been filed.



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2.It is the case of the petitioner that he is the absolute owner of the property in S.No.57/2, situated at Kodukkur Village, Andimadam Taluk, Ariyalur District, by way of settlement deed from his father dated 13.03.2016 and he is residing in the house constructed therein. The 5th respondent, who is a retired employee of Tamil Nadu Electricity Board, had earlier obtained electricity service connection in his name in respect of the petitioner's property. Taking advantage of the said service connection, the 5th respondent has raised an objection against the petitioner and based on the objection, electricity connection to the petitioner's house has been disconnected. The 5th respondent has also filed a suit in O.S.No.19 of 2025 on the file of the Sub-Court, Jayankondam, for declaration of title and other reliefs over the petitioner's property. Now, when the petitioner approached the respondents seeking electricity service connection in his name, the respondents have passed the impugned orders rejecting his request, on the ground that suit is pending before the Civil Court. Challenging the same, the present writ petition has been filed.

3.Mr.D.Suresh Kumar, learned Standing Counsel, takes notice for the respondents 1 to 4.



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5.Heard the learned counsel on either side and perused the entire materials available on record.

6.Learned Standing Counsel appearing for the respondents 1 to 4 has not disputed that the petitioner is in possession of the subject property. The petitioner claims title on the basis of settlement deed of the year 2016. Though there was an earlier electricity service connection in the name of the 5th respondent, on his objections, the said connection has been disconnected. Now, the petitioner is residing in the property without electricity for more than 10 months. This fact has also been admitted by the learned Standing Counsel for the respondents. Such being the position, mere pendency of the civil suit will not be a bar for giving electricity service connection, since electricity is a basic amenity. When the petitioner is in possession based on the title deed which is not annulled by the competent Civil Court, at this stage, denying electricity service connection to the petitioner amounts to denying his basic rights.



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7. In such view of the matter, the impugned orders are quashed. The respondents are directed to effect electricity service connection in the name of the petitioner. It is made clear that, mere issuance of electricity service connection will not enhance the title of the petitioner or the 5th respondent. The title has to be declared independently by the Civil Court in the pending suit. Just giving electricity service connection to any of the parties will not enure to the advantage of anyone. This Court has directed the respondents to give electricity service connection only considering the fact that electricity is a basic amenity. Mere giving electricity service connection will not have any impact on the decision making process of the Civil Court while deciding the title to the property.

8. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

18.12.2025

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes



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N. SATHISH KUMAR, J.

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