



W.P.(MD)No.4534 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4534 of 2025

and WMP (MD) Nos.3254 & 3255 of 2025

Shanmugam

: Petitioner

Vs.

1. The Assistant Executive Engineer,
Tamilnadu Generation and
Distribution Corporation Limited
(TANGEDCO),
(Operations and Maintenance),
Nagar – 2, Pattukottai,
Thanjavur District.

2. Jadeeswaran

3. Nagappan

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned proceedings issued by the 1st respondent in Ka. No. U.Mi.Po/IBARA/Nagar - 2- Pattu/Ko/A. No.257/2024-25 dated 25.01.2024 and quash the same as illegal.

For Petitioner : Mr. B.Jameelarasu



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For Respondents : Mr.S.Deenadhayalan for R1

Mr.K.P.Narayana Kumar for R2 & R3

ORDER

This writ petition has been filed challenging the impugned proceedings of the first respondent, dated 25.01.2024, which relates to transfer of electricity service connection to the second respondent.

2. The petitioner claims to be a tenant of the second respondent, who owns two shops at Door Nos. 143 and 145-A, Kalamman Street, Pattukottai. The petitioner asserts that he has been eaking out his livelihood solely from the income derived from these two shops for the past 25 years. The petitioner obtained an electricity service connection for the two shops by producing a “No-Objection Certificate” issued by the second respondent/landlord. The petitioner’s grievance is that the second respondent/landlord has now submitted an application to transfer the electricity service connection into his name. However, the Electricity Board authorities, without issuing any notice or providing an opportunity to the petitioner, proceeded to effect the name transfer by passing the impugned proceedings dated 25.01.2024, which requested the petitioner to produce the VAO Certificate, registered deed, patta, and



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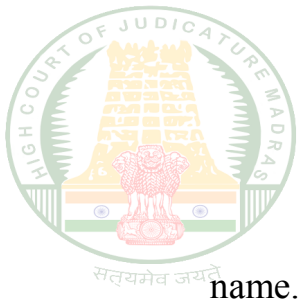
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other relevant documents pertaining to the shops, failing which, the electricity service connection will be transferred to the name of the second respondent/landlord. Aggrieved by the same, the petitioner has filed the present writ petition.

3. The learned counsels appearing on behalf of the respondents submitted that the petitioner is a tenant and has no ownership rights over the property. As such, the petitioner does not have any *locus standi* to challenge the proceedings of the first respondent in regard to the name transfer of electricity service connection to the second respondent, who is the rightful owner of the property. The learned counsels for the respondents further submitted that the petitioner is now disputing the title of the property and therefore, prayed for the dismissal of this writ petition.

4. Heard the learned counsel for the parties and perused the materials available on record.

5. As per the applicable Regulations, the owners of the property are entitled to have the electricity service connection in their



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name. A tenant seeking to have the service connection in his name must obtain a "No Objection Certificate" from the property owner. In the present case, the petitioner, being a tenant, obtained the electricity service connection based on an NOC from the second respondent, the property owner. However, the second respondent applied for the transfer of the electricity service connection to his name and the Electricity Board, in compliance with the relevant regulations, initiated the process, requesting the petitioner to provide the necessary documents. The owner can seek transfer of name in respect of the electricity service connection by producing all the relevant documents. Therefore, this Court do not find any perversity in the impugned proceedings passed by the first respondent. Insofar as the tenancy rights are concerned, it is between the parties to adjudicate and resolve the same in the manner known to law.

6. With the above observations, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.03.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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