



W.P.(MD)No.5988 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5988 of 2025

S.Mari

: Petitioner

Vs.

1. The Junior Electrical Engineer,
Distribution (Thatchanallur),
TANGEDCO, Tirunelveli.

2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai.

3. The Mutawallis,
Kareem Sha Thaikka Pallivasal,
Thatchanallur,
Tirunelveli.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 1st respondent in Ka.No. ENipo/ Vi/ Napu/ Thatchai / Koo.Via.Ma/ ANo. 020/24 dated 24.01.2025 and quash the same and consequently direct the 1st respondent to grant



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electricity connection based on the NOC issued by the 3rd respondent.

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For Petitioner : Mr.V.S.Kishok Kumar

For Respondents : Mr.S.Deenadhayalan

Standing Counsel for R1

Mr.H.Arumugam for R3

ORDER

This Writ Petition has been filed challenging the order dated 20.01.2025, which directs the petitioner to submit a 'No Objection Certificate (NOC)' from the second respondent and seeks a consequential direction to the first respondent to grant an electricity connection based on the NOC issued by the third respondent.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the first respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with.



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3. The petitioner claims that he is the lessee of a vacant site in Survey No. 27, Seeniappan Thiruthu, Thatchanallur, Chathiram Pudukulam Village, Tirunelveli District. The third respondent, Kareem Sha Thaikka Pallivasal, is the owner of the said property. The petitioner's grievance is that, even though an NOC was issued by the third respondent and the same was submitted to the first respondent, without considering the NOC provided by the third respondent, the first respondent once again demanded the petitioner to produce an NOC from the second respondent for granting electricity service connection and thereby, passed the impugned proceedings dated 24.01.2025. Challenging the said proceedings, the present writ petition has been filed.

4. In response to the above submission, the learned Standing Counsel representing the second respondent argues that, as the second respondent is a Waqf managed by the Mutawalli, it is the competent authority to issue the NOC. In the present case, the petitioner has obtained the NOC from the third respondent. He further submits that if the petitioner provides the NOC from the second respondent, it will be considered for the approval of the electricity service connection .



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5. Admittedly, in the present case, the petitioner has already received the NOC from the third respondent, but in order to proceed, the NOC from the second respondent is mandatory. Therefore, this Court finds it appropriate to direct the petitioner to submit the NOC from the second respondent. Upon receipt of the same, the first respondent shall consider the NOC and take necessary steps to provide the electricity service connection to the petitioner, on merits and in accordance with law.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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