



WA(MD). No.1105 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 25/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1105 of 2025
and CMP(MD) No.6952 of 2025

1.Banumathi
2.Kanthimathinathan @ Ashok
3.Rahul @ Muthusamy

... Appellants

v.

1.M.Tamil Selvan

2.The Superintendent of Police
Thoothukudi District

3.The Inspector of Police,
South Police Station,
Thoothukudi
Thoothukudi District

4.The Superintending Engineer,
TANGEDCO,
South Zone,
Thoothukudi

5.Assistant Engineer,
TANGEDCO, South Zone,
Thoothukudi

... Respondents



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PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 17.02.2025 in WP(MD). No.2284 of 2025.

For Appellants : Mr.S.Balasubramanian
For Respondents : Mr.R.Anand for R1
Mr.A.Albert James for R2 &R3
Government Advocate
Mr.S.Deenadayalan for R4&R5

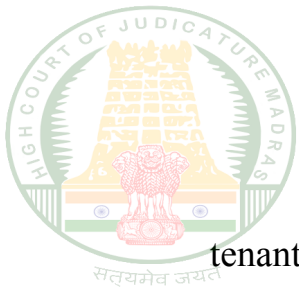
JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ appeal is directed against the order of the writ Court dated 17.02.2025 in WP(MD) No.2284/2025.

2. The respondents 5 to 7 in the writ petition are the appellants herein.

3. The writ petition has been filed by the 1st respondent herein, who is a tenant under the appellants/respondents. Since a pole was damaged, the writ petitioner has temporarily approached the respondent Corporation for removing the damaged pole and to erect a new pole. Taking advantage of this situation, the landlord has tried to evict the



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tenants and after considering the rival claims elaborately, the writ Court allowed the writ petition to change the pole.

4. Heard the learned counsel for the appellants and the learned counsel for the respondents.

5. This Court is of the view that the landlord cannot use the TANGEDCO as a tool to evict the tenants. The landlord has every right to prefer an RCOP and other appropriate application before the authorities/appropriate forum. It is brought to the notice of this Court that appropriate application is pending before the concerned authority. Therefore, their remedy is only to pursue the said applications/proceedings. Accordingly, the writ appeal is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

25.04.2025

NCC : Yes/No
Index : Yes/No
RR



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To

2.The Superintendent of Police
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Thoothukudi District



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1105 of 2025

Date : 25/04/2025