



W.P(MD)No.9395 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P(MD)No.9395 of 2024

and

W.M.P(MD)Nos.8537, 17755 & 17756 of 2024

S.Gomathi

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Thoothukudi.
- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
Kovilpatti,
Thoothukudi District.
- 4.The Assistant Executive Engineer (Distribution),
Tamil Nadu Electricity Board,
Kayathar, Thoothukudi District.
- 5.The Assistant Engineer, (Distribution),
Tamil Nadu Electricity Board,
Ottapidaram, Thoothukudi District.
- 6.JSW Renewable Energy Limited,
No.23, 7th Street, Vasantha Nagar,
Perumalpuram, Tirunelveli.
- 7.Dhanalakshmi Construction,
through its Proprietor,
Sankarapandi.



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8.Dhanalakshmi Construction,
through its authorized officer,
Krishnamoorthy
Both having office at
No.111L/1, 1st Street,
Maruthuvar Colony, Kayathar,
Thoothukudi District.

9.Somu

10.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(R10 is suo motu impleaded vide court
order dated 18.04.2024)

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 to 5 not to provide electricity connection through the petitioner's agricultural land situated in S.No.212/2, 213/1 situated as Savalaperi village, Kayathar Taluk, Thoothukudi District without following due process of law, based on the petitioner's objection representation dated 19.03.2024.

For Petitioner : Mr.R.Murugappan

For Respondents : Mrs.D.Farjana Ghoushia
Spl. Govt. Pleader for R1

Mr.S.Deenadhayalan
Standing Counsel for R2 to R5

Mr.N.Dilipkumar for R6
Mr.S.Anwar Sameem for R7
Mr.B.Muthuprakash for R9

Mr.Krishnamoorthy,
party in person for R8



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ORDER

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This writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 2 to 5 not to provide an electricity connection through the petitioner's agricultural land situated in Survey Nos. 212/2 and 213/1 at Savalaperi Village, Kayathar Taluk, Thoothukudi District, without following due process of law, based on the petitioner's objection representation dated 19.03.2024.

2. Heard the learned counsel appearing on either side and perused the records.

3. The petitioner would submit that the subject properties are owned by her by virtue of a partition deed dated 06.07.1998 and that she has been in possession and enjoyment of the same. The petitioner is carrying on agricultural activities in the said land and is eking out her livelihood from the agricultural income. All revenue records relating to the said agricultural land stand in the petitioner's name. While so, the respondents 6 to 8 erected a high-tension electricity tower near the petitioner's land and attempted to draw the high-tension line from east to west through her patta land. The petitioner raised objections to the proposed electricity line passing through her land and submitted a representation to the official respondents on 22.01.2024. However, no steps were taken to enquire into her complaint. To



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the shock and surprise of the petitioner, she later came to know that the respondents 6 to 8 had entered into an agreement with the ninth respondent, who is none other than the petitioner's husband, and that a sum of Rs.17,00,000/- had been paid to the ninth respondent. There has been no communication between the petitioner and her husband for several years, and the petitioner is residing separately with her son. Taking advantage of the said situation, the respondents 6 to 8, without any right over the petitioner's property, entered into the said agreement in an oblique manner.

4. The petitioner would further submit that the agreement entered into between the respondents 6 to 9 is illegal and was executed without her consent. The petitioner places reliance on Section 12 of the Indian Electricity Act, 1910, which mandates that no electric supply line shall be laid over private land without the consent of the owner or occupier. After coming to know of the said facts, the petitioner made representations in person to the District Collector and the respondents 2 to 5 on 22.01.2024. As no action was taken thereon, the petitioner was constrained to send another representation through a registered post on 19.03.2024. Till date, the authorities concerned have not taken any steps to consider the petitioner's objections. Hence, the present writ petition.



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5. When the matter was taken up for hearing on 23.04.2024, the ninth respondent, Krishnamoorthy, was present in person and fairly admitted that he had received a sum of Rs.2,00,000/- towards brokerage and a further sum of Rs.15 lakhs from the 6th respondent as compensation. He agreed to return the sum of Rs.15,00,000/- to the sixth respondent. Accordingly, the prosecution against the ninth respondent was stopped upon his undertaking to make the said payment.

6. In compliance with the earlier order of this Court, a demand draft for a sum of Rs.15,00,000/- drawn in favour of the sixth respondent has been handed over to the learned counsel appearing for the sixth respondent. Hence, the order of this Court dated 23.04.2024 has been complied with.

7. Further, it is brought to the notice of this Court that during the pendency of the writ petition, the petitioner submitted another representation dated 24.06.2024 to the first respondent/District Collector, and an enquiry in that regard is in progress.

8. The learned counsel for the petitioner submits that it would suffice if the petitioner's representation is considered on merits and in accordance with law.



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9. The learned Special Government Pleader appearing for the first respondent submits that the petitioner's representation will be considered in accordance with law.

10. In view of the above, without going into the merits of the petitioner's claim, the first respondent is directed to dispose of the said representation dated 24.06.2024 as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. It is needless to state that while conducting the enquiry, the first respondent shall issue notice to the sixth respondent and afford them an opportunity of hearing.

11. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

28.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
skn

To:

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Thoothukudi District,
Thoothukudi.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
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- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
Kovilpatti,
Thoothukudi District.
- 4.The Assistant Executive Engineer (Distribution),
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Kayathar, Thoothukudi District.
- 5.The Assistant Engineer, (Distribution),
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Ottapidaram, Thoothukudi District.
- 6.The Inspector of Police,
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Thoothukudi District.



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P.T.ASHA, J.

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