



*W.P.(MD)No.10686 of 2025*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 21.04.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD)No.10686 of 2025**

**and**

**W.M.P.(MD)No.7942 of 2025**

Gunasekaran

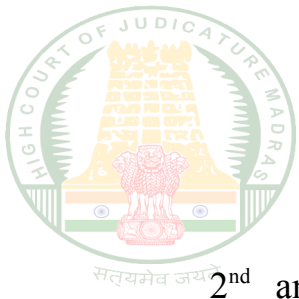
: Petitioner

Vs.

1. The District Collector,  
Sivagangai,  
Sivagangai District.
2. The Executive Engineer,  
TANGEDCO,  
Sivagangai,  
Sivagangai District.
3. The Assistant Engineer,  
TANGEDCO,  
Kalaiyar Kovil,  
Sivagangai District.
4. Mathiyazhagan

: 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 made in Application Cancellation Notice with reference number 200054600325322 dated 04.03.2025 passed by the 3<sup>rd</sup> respondent and quash the same, consequently direct the



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2<sup>nd</sup> and 3<sup>rd</sup> respondents to give new electricity connection to the petitioner's residential house in Ward No 4 Door No. 1385 at Nedodai, Thittukottai village, Devakottai Taluk, Sivagangai District.

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.K.S.Selva Ganesan (R1)

Additional Government Pleader

Mr.S.Deenadhayalan (R2 & R3)

### **ORDER**

The present writ petition has been filed challenging the impugned order in reference number 200054600325322 dated 04.03.2025 passed by the 3<sup>rd</sup> respondent thereby cancelling the application of the petitioner seeking for electricity service connection and also to direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to give new electricity connection to the petitioner's residential house in Ward No 4 Door No. 1385 at Nedodai, Thittukottai village, Devakottai Taluk, Sivagangai District.

2. Heard, the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first respondents and the learned standing counsel for the second and third



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respondent. Considering the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with and this Writ Petition is taken up for final disposal at the stage of admission itself.

3. When the matter came up for admission, the learned counsel appearing on behalf of the respondents 2 and 3, submitted that when the co-owner is objecting, the connection could not be given. Consent is necessary both for effecting connection and for erecting the pole and hence, the authorities have not proceeded further.

4. On perusal of the application format, as well as the terms of electricity supply, it is clear that what is needed is that the petitioner should be a lawful occupant. The petitioner is also a co-owner and there is no dispute about it. In this regard, it is for the petitioner to obtain a “no objection certificate” from the other co-owners. If the other co-owners are not granting consent, all that needs to be insisted upon from the petitioner is an indemnity bond. One co-owner cannot object for granting electricity connection or erecting of pole.



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5. In that view of the matter, this writ petition is disposed of on the following terms:-

(i) The petitioner is directed to produce concerned letters from the other co-owners. If any co-owner is not cooperating or granting consent, the petitioner shall execute an indemnity bond in such format, along with a representation and enclose a copy of this order to the third respondent.

(ii) Upon making such representation by the petitioner, the third respondent shall proceed with effecting the connection after verifying the indemnity bond to its satisfaction and by erecting a pole and granting the connection.

(iii) The entire exercise shall be completed within a period of six weeks from the date of receipt of the representation from the petitioner.

No costs. Consequently, connected miscellaneous petition is closed.

**21.04.2025**

Index : Yes / No  
NCC : Yes / No  
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**VIVEK KUMAR SINGH, J.**

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