



W.P(MD)No.15858 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.15858 of 2025

and

WMP(MD)No.11994 of 2025

Vijayakumar

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO
Kanyakumari District

2.The Assistant Executive Engineer,
TANGEDCO, Kottaram,
Kanyakumari District

3.The Assistant Engineer,
TANGEDCO, Kottaram,
Kanyakumari District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for records of the impugned order issued by the third respondent dated 03.03.2025 in Application reference No.200071430325263 and quash the same as illegal and consequently direct the third respondent to give electricity service connection to the house of the petitioner bearing Door No.1/26/3.



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W.P(MD)No.15858 of 2025

For Petitioner : Mr.V.Angusamy

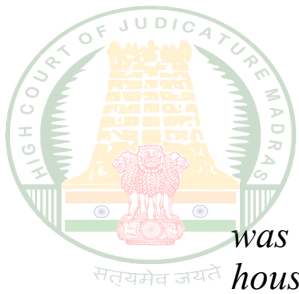
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed against the impugned order passed by the third respondent, dated 03.03.2025 and direct the third respondent to give electricity service connection to the petitioner's house bearing Door No.1/26/3.

2. The petitioner appears to be an assignee of land, where the petitioner was permitted to put up only one construction. However, the petitioner has multiple constructions and therefore, approached the respondents for additional connection for rent out the property. It is noticed that this Court by its order, dated 21.10.2024 in the case of ***Mary Puspharathi Vs the Superintending Engineer (W.P(MD)No.24899 of 2024)*** has ordered as under:

“3.It is the grievance of the petitioner that the petitioner was assigned with the land in the year 2000 and she constructed a house after obtaining necessary building plan. Now, the petitioner applied for commercial electricity connection. However, the same



W.P(MD)No.15858 of 2025

was rejected stating that as per the assignment condition, only house has to be constructed in the property in question.

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4. At the outset, this Court is of the view that the order passed by the third respondent cannot be sustained in the eye of law. Even assuming that there is a condition in the order of assignment stating that only a house has to be constructed in the said property, as the petitioner has already built up a construction and the petitioner has become the absolute owner of the subject property, the conditions mentioned in the assignment granted in the year 2000 cannot be put against the petitioner. The said conditions will not prevent the assignee to get the commercial connection and the said conditions will not have any impact in granting commercial service connection to the petitioner.

5. In such view of the matter, the order passed by the third respondent is quashed and this writ petition is allowed. The third respondent is directed to grant electricity service connection to the petitioner within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.”

3. I see no reasons to take a different stand. The impugned order shall stand quashed with a direction to the respondents to provide electricity connection to the petitioner. Since the application must be processed through the system, the petitioner is directed to submit a fresh application. The respondents shall consider the and process the application to be submitted by the petitioner within a period of 10 days thereafter.



W.P(MD)No.15858 of 2025

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4. The writ petition stands allowed. There shall be no order as to costs.

Consequently, the connected miscellaneous petition is closed.

12.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Superintending Engineer,
TANGEDCO
Kanyakumari District
- 2.The Assistant Executive Engineer,
TANGEDCO, Kottaram,
Kanyakumari District
- 3.The Assistant Engineer,
TANGEDCO, Kottaram,
Kanyakumari District.



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W.P(MD)No.15858 of 2025

C.SARAVANAN, J.

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W.P(MD)No.15858 of 2025

12.06.2025