



W.P(MD)No.13217 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.13217 of 2024
and W.M.P(MD).No.11697 of 2024

Sathishkumar

.. Petitioner

Vs

1.The Chief Executive Officer (Distribution),
TANGEDCO, Manamadurai,
SIPCOT, Sivagangai District.

2.The Assistant Executive Officer, (Distribution),
TANGEDCO, Thirupachethi,
Thirupuvanam Taluk, Sivagangai District.

3.Mariyammal

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order in U.Mi.Po/4/Thi.The.Sethi/Va.Aa/A.No.72 dated 05.06.2024 on the file of the second respondent and quash the same and further directing the respondents to provide electricity connection to the petitioner in service Connection No.200054290424193 to his property in S.No. 133/3B1 situated at Door No.55A, Aavarankadu Village, Manamadurai Taluk, Sivagangai District.



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For Petitioner : Mr.A.K.Amaravel Pandiyan

For Respondents : Mr.S.Deenadhayan
Standing Counsel (for R1 & R2)
Mr.S.Poornachandran (for R3)

ORDER

This writ petition has been filed to quash the impugned order in U.Mi.Po/4/Thi.The.Sethi/Va.Aa/A.No.72, dated 05.06.2024, passed by the second respondent and consequential direction to the respondents /TANGEDCO to provide electricity connection to the petitioner in service Connection No.200054290424193 to his property in S.No.133/3B1 situated at Door No.55A, Aavarankadu Village, Manamadurai Taluk, Sivagangai District.

2. It is the case of the petitioner that the property in question belonged to him vide registered sale deed dated 29.03.2021 and in the said property, he had constructed a house and is residing along with his family as joint family. He had applied for providing electricity connection to the said property along with all necessary charges. However, one Mariammal is restraining the respondents/ TANGEDCO from providing electricity connection to the petitioner's property stating that the house tax receipt in the year 2023-2024 has been cancelled.



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Based on the said objection, the order impugned in this writ petition came to be passed by the second respondent. Challenging the same, this writ petition has been filed by the petitioner.

3. The third respondent has filed counter inter alia contending that the signature of her son was forged and that the property has been sold to the petitioner's predecessor-in-title, one Kumar, under a registered sale deed dated 10.12.2020. Therefore, it is her contention that no right would flow to the subsequent purchasers, namely, Ilaiyaraja and petitioner herein. That apart, it is the contention of the third respondent that an FIR had been lodged against the petitioner and 7 others on the file of the District Crime Branch, Sivagangai, on the ground of land grabbing. Further, her son had given a representation to the District Registrar, Sivagangai, to cancel the forged sale deed executed in favour of Kumar and the same was rejected. Thereafter, an appeal was filed before the Deputy Inspector General of Registration and the same was allowed. The petitioner would also submit that the petitioner and others resorted to violence and threat after the petitioner's son had executed sale deed in favour of her husband. She would also allege that the petitioner and 5 others had trespassed into the property and murdered her husband and the petitioner had been arrayed as third accused and detained under the Goodas Act.



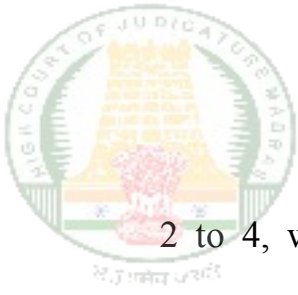
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4. The third respondent further submits that the constructions has been put up in S.No.133/3B2, whereas electricity connection is sought for the house in S.No.133/3B1, over which he has no right. That apart, the suit in O.S.No.125 of 2021 is pending on the file of the Sub Court, Manamadurai, filed by Kumar against the third respondent's son and other, seeking a declaration that he is the owner of the property in question and the sale deeds in favour of said Kumar and Ilaiyaraja are valid and binding. Since the suit is pending, it is the contention of the third respondent that electricity service connection should not be granted.

5. The learned counsel on either side have made the arguments by reiterating the contends of their respective pleadings.

6. A perusal of the records would show that a suit has been filed by the predecessor-in-title of the petitioner, namely, Kumar, against the third respondent's son, Ilaiyaraja, the vendor of the petitioner and others, wherein the prayer was sought is to declare that the suit property situated in S.No.133/3B2, S.No.22/2A, S.No.22/2B and S.No.28/1A1, as the absolute property of the plaintiff therein and declare the sale deeds executed in favour of the defendants



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2 to 4, which includes the petitioner's vendor, as invalid, and consequently restrain the first defendant, the third respondent's son, from interfering with the peaceful possession and enjoyment of the plaintiff's property. Interestingly, the third respondent, who has narrated that her son signature has been forged and sale deed executed in favour of said Kumar, has not taken any steps whatsoever to either take steps to file a suit to have her title declared or to file a counter claim in the suit filed by one Kumar.

7. Admittedly, the petitioner is in possession of the property and constructed a house thereupon. It is to be noted that the electricity service connection has been sought by the petitioner to the property in Survey No. 133/3B1. However, the suit is said to have been filed with regard to the properties in Survey Nos.133/3B2, 22/2A, 22/2B and 28/1A1. Therefore, since the property in question of which electricity connection is sought for is different from the property subject matter of the suit and no steps have been taken by the third respondent to establish her right over the said land, the authorities cannot reject the claim of the petitioner on the ground that the property tax receipt should be produced, particularly, when possession is with the petitioner. The impugned order is quashed and direction is issued to the second respondent to provide the electricity connection to the petitioner for a



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property in S.No.133/3B1 bearing D.No.55A, Aavarankadu Village, Manamadurai Taluk, Sivagangai District. The petitioner shall file indemnity bond in this regard. This connection shall be continued subject to the result of the suit.

8. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

11.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To

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TANGEDCO, Manamadurai,
SIPCOT, Sivagangai District.

2. The Assistant Executive Officer, (Distribution),
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P.T.ASHA, J.

Rmk

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