



W.P(MD)No.15784 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2025

CORAM

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

Writ Petition(MD)No.15784 of 2020

V.Shanmugam

..Petitioner

Vs

- 1.The Superintending Engineer,
TANGEDCO,
Madurai Metro,
Race Course Road,
K.Pudur, Madurai.
- 2.The Assistant Process Engineer,
TANGEDCO,
Madurai North,
Arasaradi, Madurai.
- 3.The Executive Engineer,
TANGEDCO,
Madurai West,
Metroplitan Circle,
Arasaradi, Madurai.
- 4.The Assistant Engineer,
TANGEDCO,
New Vilangudi,
Dhinamani Nagar,
Madurai – 18.
- 5.Thanakoneriappa Mudaliar
Kattalai Madurai through its
Hereditary Trustee Sri-La-Sri
Maha Sannithanam,
Thirvaduthurai Atheenam,
Sivaprakasa Pandaram Sannathi,
Thiruvaduthurai, Nagapattinam District.



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6.P.Manoj
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..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents not to give electric connection to the unauthorized constructed building of 6th respondent in plot No.58 situate in S.No.89/2 of unauthorized layout and to remove the electric poles and supply lines passing over head of the petitioner's land in New S.No.90/4 (Old S.No.266/4) of Vilangudi Village, Madurai.

For Petitioner : Mr.S.Suresh Isaac Paul

For Respondents : Mr.S.Deenadhayan
Standing Counsel for R1 to R4
No appearance for R5 & R6

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus forbearing the respondents from granting electricity service connection to the alleged unauthorized construction put up by the sixth respondent in Plot No.58 situated in Survey No.89/2, forming part of an unauthorized layout, and for a consequential direction to remove the electric poles and overhead supply lines drawn over the petitioner's land in New Survey No.90/4 (Old Survey No.266/4) of Vilangudi Village, Madurai.



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2. Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents 1 to 4. Perused the records placed before this Court.

3. The petitioner contends that he is a tenant under Thanakoneriappa Mudaliar Kattalai and claims tenancy rights through his father, who allegedly bequeathed such rights by way of a registered Will in respect of Survey Nos.89/1, 89/2 and 90/4 of Vilangudi Village, Madurai. According to the petitioner, the terms of tenancy prohibit erection of any permanent structure. It is alleged that certain persons, in collusion with officials of the Kattalai, illegally subdivided the lands in Survey Nos.89/1 and 89/2 into house plots without approval from competent authorities and alienated the same to third parties. One such plot, namely Plot No.58 in Survey No.89/2, is stated to have been sold to the sixth respondent, who has put up a multi-storeyed building without statutory approval.

4. The petitioner further submits that the respondents 1 to 4 are proposing to provide electricity service connection to the said unauthorized construction and to draw electric poles and overhead supply lines through the petitioner's land in New Survey No.90/4 (Old S.No.266/4), despite his objections. It is contended that such action is in violation of Section 12(2) of the Indian Electricity Act and infringes upon the petitioner's tenancy rights. Hence, the present writ petition.



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5. The learned Standing Counsel appearing for the respondents 1 to 4 submits that the electricity authorities are empowered to provide service connections in accordance with statutory provisions and that the petitioner cannot seek to prevent the same on the basis of disputed civil rights. It is also contended that the petitioner's father, under whom the petitioner claims, was not in possession of the subject property, and therefore, the petitioner lacks *locus standi* to maintain the present writ petition.

6. It appears that the claim of the petitioner is founded entirely on alleged tenancy rights said to have been derived through his father. However, the records do not substantiate that either the petitioner's father or the petitioner himself was in lawful possession of the suit schedule property at the relevant point of time. Further, the petitioner has not placed sufficient material to establish any statutory violation by the electricity authorities warranting interference by this Court. In the absence of proof of possession and in view of the disputed nature of the claims raised, this Court finds no merit in the writ petition. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

17.11.2025

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



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P.T.ASHA, J.

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