



W.P(MD)No.16737 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.16737 of 2025

and

W.M.P.(MD).No.12700 of 2025

A.Arulkumar

... Petitioner

Vs.

1.The Assistant Electrical Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO)
Kandarvakottai East,
Kandarvakotai-613 301,
Pudukottai District.

2.Ramasamy

3.Malar

...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



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records pertaining to the Impugned order passed by the first respondent in

क.गणनः ॡ.डि.डुड/ इ&क/ क/ क.कुडुडड/ कु.गणनःवि.कु/अ.गणन.03, dated 19.04.2025 and quash the same as illegal consequently, directing the first respondent to provide domestic Electricity Service Connection to the petitioner's house constructed in S.No.187/7, Kallakottai Village, Kandarakottai Taluk, Pudukottai District as per the Application No. 1281224339 without insisting to get no Objection Certificate from the respondents No.2 and 3 and other legal heirs of his father Ayyachamy, S/o.Kumarasamy.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.S.Deenadhayalan (for R1)
Standing Counsel

ORDER

This writ petition has been filed to quash the Impugned order passed by the first respondent in क.गणनः ॡ.डि.डुड/ इ&क/ क/ क.कुडुडड/ कु.गणनःवि.कु/अ.गणन.03, dated 19.04.2025 and consequently, direct the first respondent to provide domestic Electricity Service Connection to the petitioner's house constructed in S.No.187/7, Kallakottai Village, Kandarakottai Taluk, Pudukottai District as per the Application No.



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1281224339 without insisting to get no Objection Certificate from the respondents No.2 and 3 and other legal heirs of his father Ayyachamy, S/o.Kumarasamy.

2.This writ petition is disposed of at the time of admission after dispensing with notice on the respondents 2 and 3.

3.The present writ petition is premature. The petitioner appears to have filed an application for electricity connection on 28.12.2024. While providing an electricity connection to the petitioner's house, which was apparently constructed by the petitioner after an oral partition following the death of their father on 07.05.2022, the private respondents, who are the petitioner's half-brother and half-sister, raised objections. Under these circumstances, the first respondent has called upon the petitioner to provide information in response to the impugned order.

4.The learned counsel appearing for the petitioner has placed reliance on Section 27(4) of the Tamil Nadu Electricity Distribution Code and the same is extracted hereunder:



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*“27.(4). An intending consumer who is not the owner of the premises 3 [***] shall produce a consent letter in Form 5 of Annexure III to this code from the owner of the premises for availing the supply. If the owner is not available or 4 [***] refuses to give consent letter, the intending consumer shall produce proof of his/her being in lawful occupation of the premises and also execute an indemnity bond in Form 6 of the Annexure III to this code indemnifying the licensee against any loss on account of disputes arising out off effecting service connection to the occupant and acceptance to pay security deposit twice the normal rate.”*

5. In view of the above, the petitioner is directed to appear before the first respondent in response to the impugned notice dated 19.04.2025. The first respondent is directed to examine the same in accordance with Section 27(4) of the Tamil Nadu Electricity Distribution Code. If an indemnity bond is required, the first respondent shall obtain the same and thereafter provide the electricity connection, after giving due notice to the private respondents. The said exercise shall be completed, after giving due notice to the private respondents, within a period of 30 days from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

23.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
vsg

To

1. The Assistant Electrical Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO)
Kandarvakottai East,
Kandarvakotai-613 301,
Pudukottai District.



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C.SARAVANAN, J.

vsg

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