



W.P(MD)No.17285 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.17285 of 2025

and

W.M.P(MD)No.13172 of 2025

Painthamilselvi

... Petitioner

Vs.

1.The Superintending Engineer,
Tamilnadu Electricity Board,
Pudukottai.

2.The Assistant Electrical Engineer,
(Operation and Maintenance),
TANGEDCO,
Kodikulam,
Manamelkudi Taluk,
Pudukottai District.

3.Manickam

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 and 2 from disconnecting the electricity service connection in S.C.No.138-019-542 effected in the petitioner's property comprised in Survey No.27/2A situated at Nattani Purasakudi Village, Avudaiyarkovil Taluk, Pudukottai District.



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For Petitioner

: Mr.T.Lenin Kumar

For R1 & R2

: Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus to forbear the respondents 1 and 2 from disconnecting the electricity service connection in S.C.No.138-019-542 effected in the petitioner's property in Survey No.27/2A situated at Nattani Purasakudi Village, Avudaiyarkovil Taluk, Pudukottai District.

2. The writ petition is disposed of at the time of admission after dispensing with notice on the third respondent as no adverse orders are proposed to be passed against the third respondent.

3. The petitioner has received the impugned show cause notice, dated 30.05.2025 issued by the second respondent pursuant to the complaint of the third respondent, who claims to be the owner of the property. The admitted position as on date is that the petitioner has purchased the aforesaid property by an unregistered sale deed dated 13.02.2024 from one Nagarajan, who in turn



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earlier purchased the said property from S.Gunasekaran, G.Gomathi and G.Kamatchisundari under a unregistered sale deed. There is no valid transfer of property either in favour of the petitioner's predecessor or the petitioner in accordance with the provisions of the Transfer of Property Act and Registration Act. However, it appears that the petitioner has put up a construction and also paid the house tax. The petitioner applied for power connection, which was also granted by the second respondent. Since the third respondent claims to be the owner of the property, the impugned show cause notice was issued. The petitioner has also replied to the same. However, the petitioner apprehends that the power connection which has been granted earlier may be disconnected.

4. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Standing Counsel for the respondents 1 and 2.

5. The writ petition stands disposed of by directing the second respondent to adjudicate the show cause notice issued to the petitioner within a period of six weeks from the date of receipt of a copy of this order. It is needless to state that before passing any order on the show cause notice, both the petitioner and third respondent shall be heard. In case there is any dispute regarding the ownership of the property, the petitioner and the third respondent may be directed to



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workout the remedy before the competent civil Court. Pending disposal of the show cause proceedings, the electricity connection granted to the petitioner shall not be disconnected. No costs. Consequently, the connected miscellaneous petition is closed.

26.06.2025

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

- 1.The Superintending Engineer,
Tamilnadu Electricity Board,
Pudukottai.
- 2.The Assistant Electrical Engineer,
(Operation and Maintenance),
TANGEDCO,
Kodikulam,
Manamelkudi Taluk,
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C.SARAVANAN, J.

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