



W.A(MD)No.1777 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1777 of 2025
and
C.M.P(MD)No.10064 of 2025**

V.Balasubramanian

... Appellant /
Petitioner

Vs.

1.The Executive Engineer (O & M),
TANGEDCO,
Paramakudi,
Ramanathapuram District.

2.The Assistant Engineer (O & M),
TANGEDCO,
Nagar / South Division / TNPDC,
Paramakudi,
Ramanathapuram District.

3.V.Arunachalam

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order made in W.P(MD)No.15335 of 2025 dated 09.06.2025 on the file of this Court.



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W.A(MD)No.1777 of 2025

For Appellant : Mr.D.Senthil

For Respondents : Mr.S.Deenadhayalan
Standing Counsel for R.1 & R.2

JUDGMENT

(By G.R.SWAMINATHAN, J.)

The petitioner herein had purchased a piece of property in Balan Nagar, Paramakudi from one Selvam vide sale deed dated 15.11.2024. The petitioner wants a temporary electricity service connection to put up construction. TANGEDCO declined to accede to the said request. Hence the appellant herein filed W.P(MD)No.15335 of 2025. The learned single Judge vide order dated 09.06.2025 dismissed the writ petition on the ground that *prima facie* it appeared that the land purchased by the writ petitioner has been earmarked for a public purpose i.e. park. Challenging the said order, this Writ Appeal has been filed.

2.The learned counsel for the appellant fairly drew our attention to the order dated 12.06.2025 made in W.P(MD)No.15929 of 2025 filed by the appellant herein. In the said writ petition the appellant questioned the notice issued by Paramakudi Municipality. The Paramakudi Municipality had issued a stop-work notice since the appellant attempted to put up construction in the petition mentioned area. The Hon'ble Division Bench vide order dated



W.A(MD)No.1777 of 2025

12.06.2025, while dismissing the writ petition, observed that Paramakudi Municipality is at liberty to conduct a survey with reference to the revenue records and if it is found that the subject property is a public property, then action may be taken to protect the same. The implication of this order is that if the property does not turn out to be a public property, then the petitioner is at liberty to put up construction.

3. Even though the Paramakudi Municipality is not a party before us, we direct the Commissioner of Paramakudi Municipality to conduct survey as indicated by the Hon'ble Division Bench in their order dated 12.06.2025. The rights of the petitioner will abide by the outcome of the said survey.

4. This Writ Appeal is dismissed with the aforesaid direction. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
04.07.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

Note: Registry is directed to mark a copy of this order to the Commissioner of Paramakudi Municipality.



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W.A(MD)No.1777 of 2025

G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

MGA

To

- 1.The Executive Engineer (O & M),
TANGEDCO,
Paramakudi,
Ramanathapuram District.
- 2.The Assistant Engineer (O & M),
TANGEDCO,
Nagar / South Division / TNPDC,
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W.A(MD)No.1777 of 2025

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