



W.P(MD)No.5053 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.5053 of 2018
and
W.M.P(MD)Nos.5020 & 5127 of 2018

M.Dhasthaheer

..Petitioner

Vs

- 1.The Superintending Engineer,
TANGEDCO, Thanjavur District,
Thanjavur.
- 2.The Executive Engineer,
O & M, TANGEDCO, Pattukottai,
Thanjavur District.
- 3.The Assistant Engineer,
O @ M, TANGEDCO, Nadiyam-614802.
Thanjavur District.
- 4.Sahitha Beevi

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned order of the third respondent dated 20.01.2018 in Lr.No.A.E.O&M/Nadiyam (D.Thara)/A.No.61/17-18 and quash the same.



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For Petitioner : Mr.N.Dilipkumar

For Respondents : Mr.M.Viji for Mr.K.Nagarajan
Standing Counsel for R1 to R3

Mrs.V.Sundari for R4

ORDER

The petitioner challenges the order of the third respondent dated 20.01.2018 granting electricity service connection to the private respondent. The suit property is already the subject matter of O.S.No.103 of 2013, on the file of the District Munsif Court, Pattukottai, in which the petitioner seeks declaration of title and injunction. The petitioner has also filed an application to implead the Electricity Board in the said suit.

2. Earlier, the private respondent filed W.P.(MD)No.18963 of 2017. By order dated 23.11.2017, this Court directed her to produce documents of title and possession and further directed the Electricity Board to afford a personal hearing to all concerned before taking a decision. However, no such hearing was granted before passing the impugned order. The impugned order is non-speaking and does not disclose whether documents of title or proof of occupancy, as required under the Tamil Nadu Electricity Distribution Code, were produced.



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3. The petitioner contends that the private respondent sought the service connection only to create evidence of possession in the pending civil suit.

4. It is now placed on record that no construction exists in the property and the electricity service connection stands disconnected. Since there is no existing building and no active service connection, the writ petition has become infructuous.

5. Accordingly, this writ petition is disposed of. The parties shall abide by the result of O.S.No.103 of 2013 on the file of the District Munsif Court, Pattukottai, and are at liberty to approach the authorities thereafter. The civil court shall decide the suit independently and uninfluenced by any observations contained herein. No costs. Consequently, connected miscellaneous petitions are closed.

29.10.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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P.T.ASHA, J.

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