



W.P.(MD).No.28238 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.28238 of 2024

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... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO - K.Pudur,
Madurai.

2. The Assistant Engineer / The Assistant
Executive Engineer,
TANGEDCO- Pasumalai,
Madurai.

3.The Executive Officer,
Arulmigu Subramaniya Swami Thirukovil,
Thirupparankundram,
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 and 2 to grant electricity service connection for the property in Plot No.9 situated at R.S.No. 2-9A1B, Thirupparankundram Village, Madurai District by considering the petitioner's online application in Application No.200050510724503/ 02.07.2024 and petitioner's representation dated 12.08.2024 within a stipulated time fixed by this Court.



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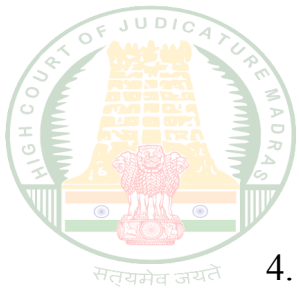
For Petitioner : Mr.T.Antony Arulraj
For R1 and R2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 : Mr.V.Chandrasekar

ORDER

The petitioner claims to have purchased the property in Plot No.9, Old R.S.No.2/9 and New R.S.No.2-9A1B situated in Thirupparankundran Village, Madurai District, vide sale deed document No.1470/98 dated 06.05.1998.

2. It is the case of the petitioner that the petitioner's predecessors got the revenue patta in respect of the subject land. On the strength of the revenue patta, from the previous owner, the petitioner have purchased the property through a registered sale deed through sale deed document No.1470/98, dated 06.05.1998.

3. It is submitted that the land in dispute is measuring about 1500 sq.fts., in which, the petitioner have intended to put up a construction now. The application made by the petitioner for temporary electricity connection has been now kept in abeyance, in view of the objection made by the third respondent temple.

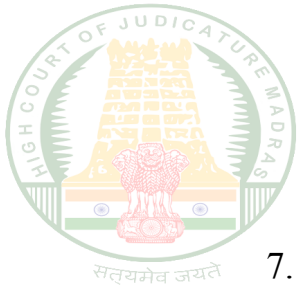


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4. The learned counsel for the third respondent would submit that the land in question belongs to the third respondent temple and service inam has been issued. Therefore there is no legal basis, the petitioner can apply for the electricity connection.

5. It is submitted that appropriate steps have been taken to evict all the encroachers who have encroached the temple land around the temple under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

6. Per contra, by way of rejoinder, the learned counsel for the petitioner would draw attention to the regulation 27(IV) of Tamil Nadu Electricity Distribution Code submit that the petitioner is willing to execute and indemnity bond in Form 6(III) agreeing to indemnify the licensi any loss on account of dispute arising out of effecting service connection to the occupant on the acceptance to any pay recurring deposit twice to normal rate. Admittedly, the petitioner has not leased the property from the third respondent temple. Rather the petitiioenr is claiming independent rights through sale deed dated 06.05.1998 registered vide document No.1470/98.



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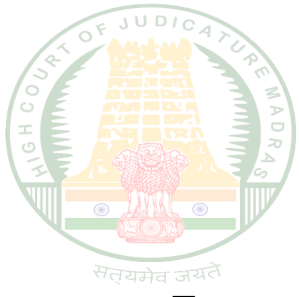
7. It is for the petitioner to establish the petitioner is a bonafide purchaser of the land by approaching the civil Court for a Decree. It is also open for the third respondent temple to initiate the proceedings under Section 78 of Tamil Nadu HR and CE Act. As such, at this stage, there can be no mandamus for giving temporary electricity connection to the petitioner for putting up construction as there is a serious doubt as to whether the petitioner is the bonafide purchaser of the said property as earlier on 06.05.1998.

8. With the above liberty, this Writ Petition stands disposed of. No costs.

16.07.2025

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

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C.SARAVANAN, J.

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