



W.P.(MD)No.27141 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.27141 of 2025

and

W.M.P(MD)Nos.21075 and 21182 of 2025

1. Haridoss

2. Sindhu

... Petitioners

Vs.

1. The District Collector,,
Kanyakumari District,
Kanyakumari.

2. The Superintending Engineer,
TANGEDO,
Kanyakumari District.

3. The Assistant Engineer(Distribution),
TANGEDO,
Semonvilai,
Kanyakumari District.

4. The Executive Officer,
Reethapuram Town Panchayat,
Reethapuram,
Kanyakumari District.

5. Davidkumar

6. Sudhakar

7. Amal Raj

... Respondents



W.P.(MD)No.27141 of 2025

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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 records relating to impugned notice of the 3rd respondent in UMiPo/ViNi/Se.Vilai/Ko.Kattu/A.No.460/25 dated 06.09.2025 and quash the same and consequently forbear the 3rd respondent from changing the name of the electricity connection bearing Service No.173-002-1588 from the name of the petitioner to the 5th respondent and to remove the electricity service connection established on 18.09.2025 in petitioner land in Re Survey No.186/5 measuring to an extent of 25.100 Cent, Simon Colony, Colachel Village, Kalkulam Taluk, Kanyakumari District in favour of the 5th respondent and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.V.Sukumar

For R1 : Mr.A.Kannan
Additional Government Pleader

For R2 & R3 : Mr.S.Deenadhayalan
Standing Counsel



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ORDER

The above writ petition has been filed for the following relief:-

“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 records relating to impugned notice of the 3rd respondent in UMiPo/ViNi/Se.Vilai/Ko.Kattu/A.No.460/25 dated 06.09.2025 and quash the same and consequently forbear the 3rd respondent from changing the name of the electricity connection bearing Service No.173-002-1588 from the name of the petitioner to the 5th respondent and to remove the electricity service connection established on 18.09.2025 in petitioner land in Re Survey No.186/5 measuring to an extent of 25.100 Cent, Simon Colony, Colachel Village, Kalkulam Taluk, Kanyakumari District in favour of the 5th respondent and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.”

2. The facts as set out in the affidavit filed in support of the writ petition reads as follows:-

The 1st petitioner would submit that he and his wife viz., the 2nd petitioner herein have jointly purchased the land comprised in Re.Survey.No.186/5 measuring an extent of 34 cents under a registered Sale Deed dated 29.02.2012. Out of this extent, 7 cents were sold by them to one Krishnaraj in the year 2013 and an extent of 1.080 cents was



W.P.(MD)No.27141 of 2025

handed over to the 4th respondent for forming the road in the year 2015.

The petitioners would submit that they are the absolute owners in the land and house in the said Re.Survey.No.186/5, which now measuring 25.100 cent.

3. The 1st petitioner would submit that the 2nd petitioner had executed a registered Sale Deed dated 07.01.2016 in Doc.No.40 of 2016 in favour of the 1st respondent in respect of an extent of 10.700 cents in the said Re.Survey.No.186/5. The 1st petitioner had executed a deed in respect of Pathway rights under a registered Deed dated 05.07.2016 for an extent of 0.820. cent.

4. It is the case of the petitioners that out of 25.100 cent, they have constructed a house in an extent of 10.700 cent and are residing and the remaining extent of 14.400 cent were fully fenced by them where the electricity service shed is situated. They have also availed loan by mortgaging an extent of 10.700 cent and 14.100 cent extent from Federal Bank, Eraniel and M/s.Aptus Value Housing Finance India, Ltd., Nagercoil. Therefore, the 5th respondent had no right to any portion of the



W.P.(MD)No.27141 of 2025

property measuring 25.100 cent. However, he along with the inmates were frequently attempting to trespass into the above land. Therefore, the 1st petitioner constrained to file O.S.No.49 of 2022 before the Principal District Munsif, Eraniel seeking permanent injunction in the said suit. He has also taken out I.A.No.3 of 2022 for a temporary injunction.

5. On 13.08.2025, the suit was dismissed for default and the petitioner has filed a restoration petition which is still pending. He would submit that respondents 5 to 7 have no right to the property but they however made an application to the 3rd respondent requesting the change of name in the electricity service connection to the name of the 5th respondent.

6. After the dismissal of the suit in O.S.No.49 of 2022, the 5th respondent has made an application for transfer of electricity service connection in S.No.17.03.2002.1588 in his name and the 3rd respondent had issued notice dated 06.09.2025 to the petitioner herein and it is this notice which is sought to be challenged in the instant writ petition.



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W.P.(MD)No.27141 of 2025

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P.T.ASHA, J.

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