



W.P.(MD)No.26775 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.11.2025

CORAM:

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

W.P.(MD).No.26775 of 2025

and

W.M.P(MD)No.20773 of 2025

C.Thangaraja

... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari District,
Nagercoil.
2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari District,
Nagercoil.
3. The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kottaram,
Kanyakumari District.



W.P.(MD)No.26775 of 2025

4. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Power Line,
230/110KV Electric Sub Station,
Chenbagaramanpudur,
Kanyakumari District - 629 304.

5. The Junior Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari,
Kanyakumari District.

... Respondents

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 pertaining to the impugned order passed by the 5th respondent in Ka. No. E.Ni.Po/Vini/Ka.Kumari/Ko.Court Case/A. No.428 dated 13.08.2025 and to quash the same and consequently directing the respondents to provide electricity connection for petitioners commercial building, situates at Survey No.347/2A, Leepuram Revenue Village, Panjalingapuram Village Panchayat, Kanyakumari District and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.B.Vinothkumar

For Respondents : Mr.S.Deenadhayalan
Standing Counsel



W.P.(MD)No.26775 of 2025

WEB COPY

ORDER

The above writ petition has been filed challenging the order dated 13.08.2025 passed by the 5th respondent and seeking a direction to the respondents to provide electricity connection for the petitioner's commercial building situated at S.No.347/2A, Leepuram Revenue Village, Panjalingapuram Village Panchayat, Kanyakumari District.

2. Heard the learned counsel on either side.

3. The Impugned Order dated 13.08.2025 refusing to provide electricity connection has been passed quoting the notification of the Central Electricity Authority dated 20.09.2010 in point no.61 and 63(1), where it has been stated that overhead line of voltage exceeding exceeding 650 V shall not cross an existing building as far as possible and that no building should be constructed under an existing over head lines.

4. The 5th respondent has rejected the request by quoting the above notification stating that the petitioner's building is below such line and has been constructed and therefore, rejected the request. However, in the

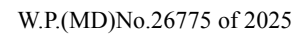


W.P.(MD)No.26775 of 2025

counter filed by the 3rd respondent, it is decided that the building of the petitioner has been constructed under a 110KV EHV line contrary to the notification of the Central Electricity Authority and therefore, the order cannot be questioned.

5. The petitioner would submit that the distance between the roof of his building and the overhead high voltage line is 7.46 metres (24.5 feet). As per the standard clearance in spacing for constructions work it is stated that the horizontal clearance for 100 kv is 2.74 metres swing and vertical clearance of 4.10 metres. The petitioner's building is 7.46 meters from the high tension line which is nearly over 5 metres from the prescribed clearance. However, the learned Standing Counsel appearing for the respondents had expressed an apprehension that the petitioner could put up a construction over the existing building, in which event, the clearance would be reduced.

6. Therefore, this Court had directed the petitioner to file an affidavit of undertaking stating that he will not use the terrace portion or put up any further construction. An affidavit to this effect has been filed today, wherein it is stated as follows:-



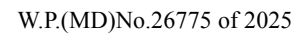
2. I respectfully submit that I have approached the respondents for providing electricity connection for my commercial building to an extent of 290 Sq.mts, situated at S.No.347/2A, Leepuram Revenue Village, Panjalingapuram Village Panchayat, Kanyakumari District. The 5th respondent rejected my application vide order dated 13.08.2025.

4. I respectfully submit that in case of providing electricity connection to my commercial building, I undertake as follows:

- i. *The subject commercial building in this writ petition is a ground floored building with an extent of 290 Sq.mts and I undertake that I will not construct 1st floor in this commercial building.*
- ii. *I undertake that I ensure all the safety measures in the building and in case of any electrocution incidents in future, I am fully responsible for the same.*

5. I respectfully submit that this undertaking is given voluntarily and in good faith to ensure compliance with law.

It is therefore prayed that this Hon'ble Court may graciously be pleased to accept this undertaking affidavit and may be pleased to allow the writ petition and thus render justice."



8. Therefore, the writ petition stands disposed of and the respondents are directed to provide electricity service connection to the petitioner within a period of two (2) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

06.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



W.P.(MD)No.26775 of 2025

WEB COPY

- To
1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari District,
Nagercoil.
 2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari District,
Nagercoil.
 3. The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kottaram,
Kanyakumari District.
 4. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Power Line,
230/110KV Electric Sub Station,
Chenbagaramanpudur,
Kanyakumari District - 629 304.
 5. The Junior Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kanyakumari,
Kanyakumari District.



WEB COPY



W.P.(MD)No.26775 of 2025

P.T.ASHA, J.

rgm

W.P.(MD).No.26775 of 2025
and
W.M.P(MD)No.20773 of 2025

06.11.2025