



W.P.(MD).No.10 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.10 of 2025

and

W.M.P.(MD)No.7 and 8 of 2025

Merlin James

... Petitioner

Vs.

1.The Assistant Electrical Engineer
(Distribution), TANGEDCO,
Muthiapuram,
Tuticorin.

2.The Executive Engineer (Distribution),
TANGEDCO,
Muthiapuram,
Tuticorin.

3.A.P.John

4.Franklin Jose

... 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 of the Impugned order in Ka.No.VuMi Po/Vi/Muthaiahpuram/Ko.Pu.Manu/A.No.375/24 dated 10.12.2024 on the file of the 1st respondent and quash the same and further directing the respondents 1 and 2 to provide electricity supply connection to the



W.P.(MD).No.10 of 2025

petitioner's house in the ground floor of No.4/180/2, Sundaram Nagar, Muthiahpuram, Tuticorin - 628 005.

For Petitioner : Mr.G.Prabhu Rajadurai,
For Mr.Selva Aditya

For R-1 & R-2 : Mr.S.Deenadhayalan,
Standing counsel

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.Considering the limited scope of the relief sought for by the petitioner herein, notice to the respondents 3 and 4 is dispensed with.

3.Challenging the rejection order made by the 1st respondent vide order dated 10.12.2024 rejecting the petitioner's application to provide electricity supply connection to the petitioner's house in the ground floor No.4/180/2 at Sundaram Nagar, Muthiahpuram, Tuticorin - 628 005, this writ petition is filed.



W.P.(MD).No.10 of 2025

WEB COPY

4. Heard the learned counsels on either sides and carefully perused the materials available on record.

5. The learned standing counsel, Mr.S.Deenadhayalan, on instructions, submitted that only due to the objections raised by the petitioner's brother, that is, the respondents 3 and 4 herein, the petitioner's application came to be rejected. That apart, he pointed out that the settlement deed, which was uploaded by the petitioner along with his application, is found to have been cancelled by the settler who executed the said deed in favour of the petitioner and his brothers. In view of the same, his application could not be considered.

6. Per contra, the learned counsel appearing for the petitioner, Mr.Selva Aditya, submitted that the petitioner's mother is the one who executed a settlement deed, and she is no more and hence, the 3rd respondent who is none other than the father of the petitioner and the 4th respondent brother of the petitioner, the petitioners are the legal heirs who are survived by his mother, namely, A.Charlet Sundarabi, W/o. P.John. He further submitted that the 3rd respondent, the petitioner's father, is residing in a portion of the ground floor and the petitioner is residing far away in Abu



W.P.(MD).No.10 of 2025

Dhabi due to his vocation, but his wife with three children is living in another portion of the ground floor. The 4th respondent is residing in the upstairs portion of the said house. Due to certain indifferences between the women in the family, the 4th respondent has disconnected the service connection by physically cutting off the electricity connection putting the petitioner's family in the dark.

7.Considering the strange conflict which has encountered the family of the petitioner, 3rd and 4th respondents, this Court is of the considered view that, at any cause for domestic quarrels, the children could not be allowed to suffer in the dark. Accordingly, this Court hereby direct the 1st respondent to provide the electricity connection required by the petitioner forthwith.

8.With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03.01.2025

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



W.P.(MD).No.10 of 2025

Note: Issue order copy on 06.01.2025.

WEB COPY

To

- 1.The Assistant Electrical Engineer
(Distribution), TANGEDCO,
Muthiapuram,
Tuticorin.
- 2.The Executive Engineer (Distribution),
TANGEDCO,
Muthiapuram,
Tuticorin.



WEB COPY



W.P.(MD).No.10 of 2025

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.10 of 2025

03.01.2025