



W.A.No.211 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.211 of 2026
and C.M.P.No.1928 of 2026

C.K.Balakrishnan
D.No.55A, New Extension Street-1,
Mettupalayam 641 301

Appellant

Vs

The Assistant Engineer
TNEB/TANGEDCO,
D.No.10, 5-9, 2nd Street,
Co-operative Colony,
M.G.R.Nagar,
Mettupalayam 641 301

Respondent

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Single Judge in W.P.No.18764 of 2024, dated 19.11.2025.



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For Appellant: Mr.R.Karthik

For Respondent: Ms.Sindhuja.M
for Mr.L.Jai Venkatesh

JUDGMENT

(Made by the Hon'ble Chief Justice)

Heard learned counsel for the parties.

2. On the last date, this Court had issued notice to the respondent to show cause as to why the appeal itself be not allowed.

3. Today, when the case comes up for hearing, learned counsel for the respondent would submit that a communication has been sent, wherein the respondent is now prepared to grant electricity service connection only on submission of Indemnity Bond without insisting on NOC.

4. Learned counsel for the respondent submits that even if there is no building construction completion certificate, it being an old construction, electricity service connection would be provided, subject



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to the appellant submitting Indemnity Bond along with fresh application and other necessary required documents.

5. Learned counsel for the respondent further submits that since the appellant is only a co-owner and not absolute owner, he cannot claim himself to be the owner as stated in the provisions of law, but he has to apply for NOC. However, upon re-consideration, the authorities have decided that even if the appellant is not the absolute owner, on submission of Indemnity Bond, he would be considered for grant of electricity connection.

6. The cause of action for the appellant to approach this Court was insistence on production of NOC as also building construction completion certificate before connection could be granted. Learned Single Judge held that as the appellant is not the absolute owner, but only a co-owner, no objection certificate is required or he should obtain a decree by filing civil suit.

7. Learned counsel for the appellant would argue that the requirement of NOC does not apply in the present case, as the appellant is one of the co-owners. The regulations do not require in



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specific terms that in case of co-ownership, NOC of other owners is required to be submitted. He would submit that even the Indemnity Bond is not required to be furnished by one who happens to be the owner/co-owner. Requirement of furnishing Indemnity Bond is contemplated in other situations when the person is not the owner, in which case he has to prove his occupation.

8. He would submit that despite there being a decree passed by the civil court in favour of the appellant, the authorities are not granting electricity service connection. Except the aforesaid two conditions, which are not required to be complied with by the appellant, namely building construction completion certificate and NOC or Indemnity Bond, all other formalities required for grant of connection would be complied with.

9. Regulation 27 of Tamil Nadu Electricity Distribution Code, 2004, as amended, clearly stipulates that where the applicant happens to be the owner, no other requirement in terms of submission of NOC or Indemnity Bond is required. It is only when the applicant is not the owner that he has to prove his occupation, that he may be granted connection on furnishing Indemnity Bond.



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10. Therefore, asking Indemnity Bond and NOC from an owner or a co-owner is not envisaged under the relevant regulations. The appellant, admittedly, is a co-owner. In the absence of any provision under the regulations requiring the co-owner to obtain NOC from other co-owners, we do not think insistence on any condition of NOC or for that matter, Indemnity Bond would arise in the case of the appellant.

11. Learned counsel for the appellant is correct in submitting that, in view of the Circular dated 07.07.2020 read with Rule 20(1) of the TNCDBR, 2019, there is no requirement of obtaining building construction completion certificate in respect of old building.

12. Therefore, in view of the above consideration, the appeal is allowed and the impugned order of the learned Single Judge is set aside. Consequently, the writ petition of the appellant is allowed and the order impugned in the writ petition dated 15.02.2024 rejecting the application of the appellant dated 23.09.2023 is set aside. The effect would be that application stands restored. The respondent is directed to grant electricity service connection to the appellant, within a period of fifteen days from the date of receipt of a copy of this order, without



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insisting on production of building construction completion certificate or Indemnity Bond or NOC. Since the appellant has already submitted application along with fee, the application of the appellant shall be considered on the basis of the earlier application and the fee paid by him and he shall not be insisted to file fresh application or fee.

13. We find that the appellant being one of the co-owners has been harassed by the respondent authorities. It is made clear that if the appellant is further harassed, appropriate action would be taken against the erring officials.

There shall be no order as to costs. Consequently, interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
03.03.2026

Index : Yes/No

Neutral Citation : Yes/No

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To:

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