



WEB COPY



W.P. No.15342 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.15342 of 2026
and W.M.P. No.16551 of 2026

K.G.Gokkul

..Petitioner

Vs

1. The Assistant Engineer
TANGEDCO, O & M, Tambaram
CEDC/South-II,
Chennai-600 045.
2. The Assistant Executive Engineer
TANGEDCO, O & M Tambaram
CEDC/South-II,
Chennai-600 045.
3. The Executive Engineer,
TANGEDCO, O & M, Tambaram
CEDC/South-II,
Chennai-600 045.
4. C.Sridharan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned letter issued by the 1st respondent in Lr.No.AE/O & M/Tambaram/F.Objection/D.No.82/2025-26 dated 17.3.2026 and quash the same and consequently direct the respondents 1 to 3 not to disconnect the

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temporary service connection No.2009250026172 in Door No.19, Kamarajar street, Tambaram, Chennai-600 045.

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For Petitioner : Mr. S. Vijayakumar
For Respondents : Mr. L. Jaivenkatesh
for R1 to R3

ORDER

This writ petition has been filed challenging the impugned notice dated 17.03.2026 issued by the 1st respondent in relation to the electricity service connection standing in the name of the petitioner and seeking consequential relief.

2. It is stated that the petitioner claims title over the property situated at New No.19, Old No.5, Kamarajar Street, West Tambaram, Chennai, more fully described in the writ petition, by virtue of a Registered Settlement Deed dated 24.01.2019 executed by his mother. Prior to the same, the property had been settled by the 4th respondent in favour of the petitioner's mother under a registered document dated 20.10.2008. The revenue records have been mutated in the name of the petitioner. According to the petitioner, he has been in possession and enjoyment of the property and has been regularly paying property tax and electricity consumption charges. The electricity service connections bearing various service numbers stand in his name.

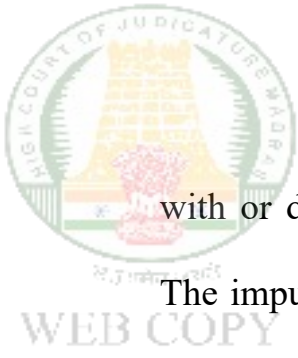


3. It is further stated that disputes arose between the petitioner and the 4th respondent, who is the petitioner's maternal uncle. The petitioner has filed a suit for permanent injunction in O.S.No.1 of 2021 and the 4th respondent has filed a suit for declaration in O.S.No.23 of 2022. Subsequently, the 4th respondent has also filed another suit in O.S.No.28 of 2026. All the suits are pending before the District Munsif Court, Tambaram.

4. While so, the petitioner applied for a temporary electricity service connection for construction purposes by submitting an application dated 23.01.2026 and remitted the requisite charges. The respondents, upon inspection, granted temporary service connection. Subsequently, based on objections raised by the 4th respondent, the impugned notice dated 17.03.2026 came to be issued by the respondents, which is put to challenge in the present writ petition.

5. Learned counsel for the petitioner submitted that the petitioner has already been granted electricity service connection and the same has been in existence, after due remittance of necessary charges. He further submitted that the objection raised by the 4th respondent is purely civil in nature, as title disputes are already pending before the District Munsif Court, Tambaram.

6. Learned counsel further contended that in the absence of any restraint order passed by the Civil Court, the respondents have no authority to interfere



with or disconnect the electricity service connection granted to the petitioner.

The impugned notice dated 17.03.2026 has been issued mechanically, without enquiry and without affording opportunity, and hence the same is liable to be set aside.

7. Per contra, the learned Standing Counsel appearing for respondents 1 to 3 submitted that the impugned notice has been issued pursuant to objections raised by the 4th respondent seeking cancellation of the existing service connection. He further submitted that the impugned communication may have been wrongly worded as relating to “application”. He fairly submitted that the this Court may remand the matter to the respondents for fresh consideration and orders will be passed in accordance with law, by conducting proper enquiry after affording opportunity to both the petitioner as well as the 4th respondent.

8. Heard the submissions made by learned counsel on either side and perused the materials placed on record.

9. It is not in dispute that the petitioner is enjoying electricity service connection and has also been granted temporary service connection upon due application and payment of charges. It is also an admitted fact that civil suits between the petitioner and the 4th respondent are pending before the District Munsif Court, Tambaram with regard to the very same property.



10. In such circumstances, the dispute raised by the 4th respondent is essentially civil in nature. The Electricity Board authorities cannot adjudicate title disputes. At the same time, when objections are raised with regard to an existing service connection, the respondents are required to follow due procedure by conducting enquiry and affording opportunity to all concerned parties.

11. In the present case, the impugned notice dated 17.03.2026 appears to have been issued without proper enquiry and without affording sufficient opportunity to the petitioner. Such action is in violation of principles of natural justice.

12. At the same time, this Court is of the view that the matter requires reconsideration by the respondents, by taking into account the objections of the 4th respondent as well as the explanation of the petitioner, without adjudicating upon the title, which is within the domain of the Civil Court.

13. It is made clear that unless there is any specific restraint order passed by the competent Civil Court, the respondents shall not take any coercive steps solely on the basis of rival claims.

14. Accordingly, the impugned notice dated 17.03.2026 issued by the 1st respondent is hereby set aside and the matter is remanded back to the 1st respondent for fresh consideration.



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15. In view of the above, the 1st respondent is directed to conduct a detailed enquiry, after affording an opportunity of hearing to the petitioner and the 4th respondent, and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

16. With the aforesaid observations and directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.04.2026

Index : Yes / No
Speaking Order / Non-speaking order
Neutral Citation Case : Yes / No
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M. DHANDAPANI, J.

vsi2

To

1. The Assistant Engineer
TANGEDCO, O & M, Tambaram
CEDC/South-II,
Chennai-600 045.

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