



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.A.No.2536 of 2023 and
C.M.P.No.21260 of 2023

E.Mohamed Siddique

... Appellant

-VS-

1. The Assistant Engineer
Tamil Nadu Generation and Distribution
Corporation Limited, Solasakkaranallur,
Mayiladuthurai Taluk.
2. John Mohammed
3. The Superintending Engineer,
Nagapattinam Electricity Distribution Circle,
TANGEDCO (TNEB), No.36, Sattayappar
East Street, Nagapattinam – 611 001.

(R3 suo motu impleaded vide Order dated
21.07.2023)

..Respondent(s)

Prayer: To allow this writ appeal and also set aside the order dated
08.08.2023 passed in W.P.No.24157 of 2022.

For Appellant: Mr.S.M.Muralidharan

For Respondent(s): Mr.D.B.R.Prabhu
Standing Counsel for R1 & R3
Ms.K.Udayaselvi for R2



J U D G M E N T

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present Writ Appeal has been instituted, challenging the Writ Order dated 08.08.2023 passed in W.P.No.24157 of 2022.

2. Learned counsel for the appellant would submit that a Civil Suit in O.S.No.237 of 2014 is pending before the learned Principal District Munsif, Mayiladuthurai. The 2nd respondent in the writ petition, namely, John Mohammed is none other than the blood brother of the appellant. Writ Petition came to be instituted, seeking a direction to the Assistant Engineer, TANGEDCO to temporarily disconnect the electricity service connection in the subject property.

3. Writ Court directed the TANGEDCO to restore the electricity service connection upto 23.08.2023 in respect of the subject property, wherein the 2nd respondent was in possession and thereafter, liberty was granted to the 2nd respondent in the Writ Petition to submit a fresh application, seeking fresh electricity service connection in his name.



4. Learned Standing Counsel appearing on behalf of TANGEDCO would submit that the 2nd respondent in the writ petition submitted a fresh application, which was considered and a fresh electricity service connection was provided in his name.

5. Electricity is an essential service and on account of civil dispute between brothers, electricity service connection cannot be disconnected. If at all any dispute regarding title, ownership is pending, all related relief are to be sought for before the Civil Court. During pendency of the Civil Suit, writ petition, seeking relief of disconnection itself is not maintainable. However, in the present case, fresh service connection has already been granted in the name of the 2nd respondent in the writ proceedings. All other civil disputes are subjudice before the Civil Court, which needs to be adjudicated based on the document and evidence available on record and uninfluenced by any of the observations, if any made either by the Writ Court or in the present order. That apart, the relief granted in the Writ Order impugned herein also became irrelevant on account of the fact that as per the order of Writ Court, electricity service connection was restored upto 23.08.2023 and thereafter, based on the application of the 2nd respondent, new electricity connection was granted to the 2nd respondent.



S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.
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For all these reasons, the present Writ Appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (C.K.,J.)
09-02-2026

Index: Yes
Speaking/Non-speaking order
Neutral Citation: Yes/No
ar

To:

1. The Assistant Engineer
Tamil Nadu Generation and Distribution Corporation Limited,
Solasakkaranallur, Mayiladuthurai Taluk.
2. The Superintending Engineer,
Nagapattinam Electricity Distribution Circle, TANGEDCO (TNEB),
No.36, Sattayappar East Street,
Nagapattinam – 611 001.

W.A.No.2536 of 2023



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