



WEB COPY



W.P.No.38425 of 2024,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.38425 of 2024

Aurlappan

... Petitioner

Vs.

1.The District Collector,
Kallakurichi District, Kallakurichi.

2.The Tahsidlar,
Vanapuram Taluk, Kallakurichi District

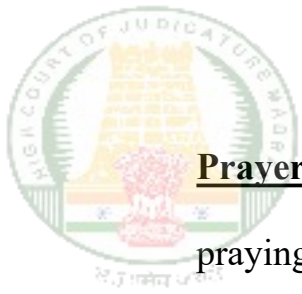
3.The Superintending Engineer,
Tamil Nadu Generation And Distribution Corporation Ltd,
(TANGEDCO), Kallakurichi Electricity Distribution Circle,
Kallakurichi.

4.The Assistant Executive Engineer,
Tamil Nadu Generation And Distribution Corporation Ltd,
(TANGEDCO), Pudupattu, Kallakurichi District.

5.A.Ashrafali,

*(R5-Impleaded As Per Order Dated 09.01.2025 In WMP.883/2025 In
WP.38425/2024 By SSJ)*

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India

praying for issuance of a writ of Certiorarified Mandamus, Calling for the entire records relating to the Impugned Order dated 25.10.2024 in proceeding No. O.Mu. A1/2551/2024 passed by the 2nd Respondent consequentially 4th respondent Rejected Petitioner Application dated 30.04.2024 in Application, ref.No. 200025450324206 herein and quash the same, directing the 4th respondent to provide electricity service connection to the petitioner property situated at Melsrivallur Villlage, Vanapuram taluk, Kallakurichi District comprised in Survey No. 97/5c o an extent of 4150 sq.ft based on Petitioner application dated 15.03.2024 within the stipulated time as fixed by this Honble Court.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.D.Gopal, Govt. Advocate

for R.1, R.2

: Mr.Swami Subramanian,

Standing Counsel for R.3 and R.4

: Mr.R.Bharath Kumar for R.5.



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ORDER

This writ petition has been filed for the following relief:-

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“Calling for the entire records relating to the Impugned Order dated 25.10.2024 in proceeding No. O.Mu. A1/2551/2024 passed by the 2nd Respondent consequentially 4th respondent Rejected Petitioner Application dated 30.04.2024 in Application, ref.No. 200025450324206 herein and quash the same, directing the 4th respondent to provide electricity service connection to the petitioner property situated at Melsrivallur Villlage, Vanapuram taluk, Kallakurichi District comprised in Survey No. 97/5c o an extent of 4150 sq.ft based on Petitioner application dated 15.03.2024 within the stipulated time as fixed by this Hon’ble Court”

2. The short facts which have culminated in the filing of the Writ Petition are as follows:-

3. The petitioner would submit that he is the owner of the property situate at Melsiruvallur Village, Vanapuram Taluk, Kallakurichi District, comprised in Survey No. 97/5C. In the said property, the petitioner decided to construct a residential house and commenced construction. After commencing the construction, he made an application dated 15.03.2024 seeking a temporary electricity service connection and also paid the necessary fees. However, the 4th respondent without considering the



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petitioner's contention and without providing any reason rejected the application of the petitioner vide order dated 30.04.2024. After the rejection order, the petitioner had approached the 4th respondent who had directed the petitioner to obtain a certificate from the Tahsildar, Vanapuram Taluk. Accordingly, the petitioner had approached the Tahsildar seeking to provide a certificate for obtaining a temporary electricity service connection. However, the Tahsildar had refused to grant any certificate vide order dated 25.10.2024 stating that a civil suit in OS.No.14 of 2024 on the file of the Subordinate Court, Kalakurichi is pending in respect of the subject property. Therefore, challenging the impugned orders passed by the 4th and 2nd respondents dated 30.04.2024 and 25.10.2025 respectively, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the records.

5. A mere perusal of the impugned order passed by the 4th respondent dated 30.04.2024 would clearly indicate that the same is a one-line, non-speaking order. Further, a perusal of the impugned order passed by the 2nd respondent dated 25.10.2024 would clearly indicate that the same has been passed without application of mind, as the 2nd respondent has mechanically rejected the claim of the petitioner solely on the ground of pendency of a civil suit, without considering the fact that no injunction

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or restraint order is in force against the petitioner. Therefore, the impugned orders passed by the 4th and 2nd respondents dated 30.04.2024 and 25.10.2025 respectively cannot be sustained and are liable to be set aside.

6. Accordingly, the writ petition is allowed. The impugned orders are set aside and the matter is remitted back to the concerned authorities for fresh consideration. The authorities shall pass a speaking order, on merits and in accordance with law, after hearing all the interested parties, including the objections of the 5th respondent, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

07.01.2026

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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