



WA(MD)No.828 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 11.06.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.828 of 2026
and
CMP(MD)No.6892 of 2026

P.Pitchai

... Appellant

Vs.

1. Pandiyammal

2. The Assistant Engineer,
Operation and Maintenance,
Tamilnadu and Electricity Board,
Ayyalur,
Dindigul (Dist)

... Respondents

PRAYER :- Writ Appeals filed under Clause 15 of Letters Patent, against
the order made in W.P(MD)No.10328 of 2026 dated 15.04.2026.

For Appellant : Mr.V.Selvakumar
For R2 : Mr.S.Deenadhayalan, Standing Counsel



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JUDGMENT

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Challenging the order of the learned Single Judge in allowing the writ petition directing the 2nd respondent to provide electricity service connection to the 1st respondent's dwelling house, the present appeal has been filed.

2. The main contention raised by the learned counsel for the appellant is that though the civil suit filed by the appellant in O.S.No.61 of 2011 in respect of the subject property has been dismissed, he has already filed an appeal against the judgment and decree passed in the suit. Hence, he opposed the impugned order.

3. It is seen that the appellant originally filed a suit for recovery of possession of the subject land where the dwelling house of the 1st respondent/writ petitioner is situated. The said suit has been dismissed and on that ground, the learned Single Judge has directed to provide electricity service connection to the 1st respondent's dwelling house which was originally refused citing pendency of the civil suit.



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4. We are of the view that mere pendency of the appeal suit will not take away the basic amenities in the immovable property. Admittedly, the 1st respondent is in possession of the property. Even if the appellant succeeds in the appeal suit and he is able to get recovery of possession, the amenity in the premises namely, electricity connection is also attached to the immovable property. Therefore, merely because the electricity connection is given to the 1st respondent, no prejudice will be caused to the appellant's case in the appeal suit. Hence, we do not find any infirmity in the order of the learned Single Judge.

5. Accordingly, the Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
11.06.2026

bala

To

The Assistant Engineer,
Operation and Maintenance,
Tamilnadu and Electricity Board,
Ayyalur, Dindigul (Dist)

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AND
M.JOTHIRAMAN, J.

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JUDGMENT MADE IN
WA(MD)No.828 of 2026
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