



W.P.(MD)No.35965 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.35965 of 2025

A.Azhakarsamy

... Petitioner

vs.

1.The Assistant Engineer,
Tamilnadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Ayyalur, Vendasandur Taluk,
Dindigul District.

2.P.Perumal

... Respondents

(The second respondent was impleaded vide order of this Court, dated 07.01.2026 in W.M.P.(MD)No.183 of 2026)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to provide a new electricity connection to petitioner's house in Survey No. 804/4 and Door No.5/154, High School West Side, Balamadaipatti, Sukkampatti, Vendasandur Taluk, Dindigul District, based on the petitioner's Application No.2290725424 dated 28.07.2025.



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For Petitioner :Mr.S.Balaji
For R1 :Mr.S.Deenadhayalan
For R2 :Mr.V.Muthumani

ORDER

Heard Mr. S. Balaji, learned counsel for the petitioner, Mr. S. Deenadhayalan, learned counsel appearing for the first respondent, and Mr. V. Muthumani, learned counsel appearing for the second respondent.

2. The petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the first respondent to provide electricity service connection to the petitioner's house situated in Survey No. 804/4 and Door No. 5/154, High School West Side, Balamadaipatti, Sukkampatti, Vedasandur Taluk, Dindigul District, pursuant to the application dated 28.07.2025.

3. The first respondent has not processed the said application on the ground that the second respondent has raised objections stating that a



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suit for partition is pending between the petitioner, the second respondent, and others, and that the subject land forms part of the suit property. It is further contended by the second respondent that the petitioner has illegally constructed a dwelling house on the subject land, which is a joint family property, and therefore, the petitioner is not entitled to electricity service connection.

4. Be that as it may, the petitioner has constructed a dwelling house on the subject land, which is the subject matter of O.S. No. 69 of 2024 filed by the second respondent for partition and separate possession. Whether the second respondent is entitled to a share in the subject property is an issue that requires adjudication by the jurisdictional Civil Court in the pending suit. In the absence of any order of restraint, the petitioner cannot be denied electricity service connection, which is a basic amenity. Further, no prejudice would be caused to the second respondent if electricity service connection is provided to the petitioner's house.



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5. In view of the above, this Writ Petition is disposed of with the following directions:

(i) The first respondent is directed to provide electricity service connection to the petitioner's subject property, subject to the petitioner satisfying all other eligibility criteria.

(ii) The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

(iii) The electricity service connection provided to the petitioner shall be subject to the outcome of the pending suit in O.S. No. 69 of 2024.

(iv) The Trial Court shall not be influenced by any observations made in this order. Any observations made herein are only for the purpose of deciding the present writ petition, and the Trial Court shall dispose of the suit strictly on the basis of the evidence and materials available on record.



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(v) All contentions of the parties are left open to be agitated before the Civil Court in the pending suit.

6. There shall be no order as to costs.

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

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HEMANT CHANDANGOUDAR, J.

cmr

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