

CRP(MD). No.93 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.93 of 2026
and
CMP(MD) No.439 of 2026**

1.Sundararathai

2.R.Sathuragiri

... Petitioners

Vs

1.S.Dasilva Rathral Linal

2.The Assistant Engineer
Tamil Nadu Generation of Electricity
and Distribution Corporation
Watrap Town
Watrap
Virudhunagar District.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed by the District Munsif cum Judicial Magistrate Court, Watrap, Virudhunagar District in I.A.No. 3 of 2024 in O.S.No. 73 of 2024 on 26.11.2025.

For Petitioners : Mr.M.Jothi Basu

For R1 : Mr.M.Vijayarathinam



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CRP(MD), No.93 of 2026

For R2

: Mr.T.Siddharthan for
Mr.B.Ramanathan

ORDER

This Civil Revision Petition has been filed challenging the order dated 26.11.2025 passed in I.A.No.3 of 2024 in O.S.No.73 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Watrap, Virudhunagar District.

2.The first respondent/plaintiff has filed a suit in O.S.No.63 of 2023 before the District Munsif Court, Srivilliputtur, Virudhunagar District, for the relief of permanent injunction along with other reliefs. Subsequently, the same was transferred to the file of District Munsif cum Judicial Magistrate Court, Watrap, Virudhunagar District and was renumbered as O.S.No.73 of 2024. Pending suit, the first respondent/plaintiff has filed an interlocutory application in I.A.No.3 of 2024, seeking to implead the second respondent herein/TANGEDCO as party defendant in the suit. The trial Court had allowed the IA., vide order, dated 26.11.2025. Challenging the same, the present Civil Revision Petition has been filed.



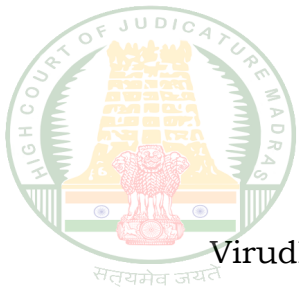
CRP(MD), No.93 of 2026

3.The learned counsel for the petitioners would submit that when there is no pleading made as against the proposed respondent/TANGEDCO in the plaint by the first respondent/plaintiff and there is no cause of action available to the first respondent to implead the proposed respondent as party defendant in the suit proceedings, it is not necessary to implead the TANGEDCO in the suit proceedings. Hence, he prays for appropriate orders.

4.The learned counsel for the first respondent would submit that the first respondent is running a business in the suit premises and due to the civil dispute between the parties, if electricity connection is disconnected, it will cause great hardship to the first respondent and as such, implementation of TANGEDCO is necessary in the suit proceedings.

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

6.Admittedly, the first respondent filed O.S.No.63 of 2023 for permanent injunction, which was subsequently transferred to the file of District Munsif cum Judicial Magistrate Court, Watrap,



CRP(MD), No.93 of 2026

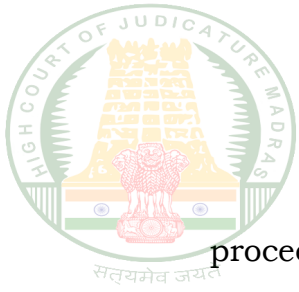
Virudhunagar District and was renumbered as O.S.No.73 of 2024.

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Pending suit, the first respondent filed I.A.No.3 of 2024 to implead TANGEDCO as party defendant in the suit. The same was allowed, which is under challenge herein.

7.It is to be noted that supply of electricity is an essential service and forms part of the right to life and such a right cannot be curtailed except in accordance with law. The mere pendency of a civil dispute between the private parties cannot be a ground to implead the electricity authority or to interfere with the provision of electricity connection. The Court below has erred in impleading the TANGEDCO as a party defendant in the suit. The relief sought in the suit does not warrant the presence of TANGEDCO as a necessary or proper party for effective adjudication of the issues involved.

8.In such circumstances, this Court is of the considered opinion that impleadment of TANGEDCO is unwarranted. Accordingly, the Civil Revision Petition stands allowed and the order dated 26.11.2025 passed in I.A.No.3 of 2024 in O.S.No.73 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Watrap, Virudhunagar District is hereby set aside. Needless to state, the trial Court shall



CRP(MD), No.93 of 2026

proceed with the suit in accordance with law. No costs. Consequently,

connected Miscellaneous Petition is closed.

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Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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09.02.2026

To

The District Munsif cum Judicial Magistrate,
Watrap, Virudhunagar District



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CRP(MD). No.93 of 2026

N.SENTHILKUMAR, J.

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CRP(MD). No.93 of 2026

09.02.2026