

W.P.(MD)No.27130 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.03.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.27130 of 2023

and

W.M.P.(MD).Nos.23286 & 23288 of 2023

Duraisamy

... Petitioner

VS.

1. The Executive Engineer
Tamil Nadu Generation and Distribution Corporation Ltd.
Thoothukudi

2. The Junior Engineer
Tamil Nadu Generation and Distribution Corporation Ltd.
Kulathur, Thoothukudi District

3. The Revenue Divisional Officer
Kovilpatti, Thoothukudi District

4. The Tahsildar
Vilathikulam Taluk
Thoothukudi District

5. Karunakaran

6. The District Revenue Officer,
Tuticorin.

... Respondents

*(R6 is suo motu impleaded vide court order dated
22.11.2024 in WP(MD)No 27130 of 2023 by LVGJ)*



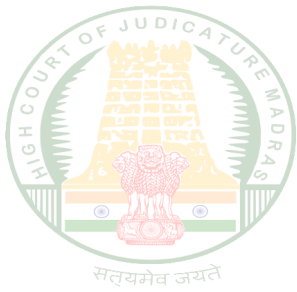
W.P.(MD)No.27130 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd Respondent in Ka.No.E Mi Po/Vi Ni/Ku/Ko.Kattu/Ka.No.493/23 dated 04.11.2023 and quash the same as illegal and consequently direct the 2nd Respondent to grant new electricity service connection in the name of the Petitioner for the constructing house comprised in Survey No.240/4A to an extent of 0.33.0 Hectares, situated at Kulathur North Village, Vilathikulam Taluk, Thoothukudi District and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner :Mr.A.D.Ganeshamoorthi
For Respondents :Mr.S.Deenadhayalan
Standing Counsel – For R1 and R2
: Mr.S.Kameswaran
Govt., Advocate – For R3 & R4
: Mr.M.M.Manivel Pandian – for R5

ORDER

1. The petitioner is before this Court seeking issuance of a Writ of Certiorarified Mandamus to quash the order dated 04.11.2023 issued by the second respondent, whereby the petitioner's application for grant of temporary electricity service connection for the purpose of construction of a house was rejected on the ground that the writ petition filed by the fifth respondent in W.P.(MD) No.2394 of 2023 is pending consideration before this Court.



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2. The learned counsel for the petitioner submitted that the property of the fifth respondent is situated on the eastern side, whereas the proposed pole is to be erected on the western side. He further submitted that he has no objection to the respondent authorities proceeding with the erection of the pole, and undertook that the pole would not be erected on the property belonging to the fifth respondent and that no dispute would arise with respect to the erection of the pole in the petitioner's property.

3. The learned counsel appearing for the fifth respondent contended that W.P.(MD) No.2394 of 2023, filed by the fifth respondent seeking a direction to the Tahsildar, Vilathikulam Taluk, to take action against the petitioner herein for allegedly obtaining a fake patta transfer order, was disposed of by this Court, vide order dated 07.02.2023, directing the third respondent therein to consider the representation submitted by the fifth respondent herein.

4. The fifth respondent objected to the grant of temporary service connection to the petitioner on the ground that the petitioner had fraudulently obtained patta in respect of an extent of 8 cents belonging to



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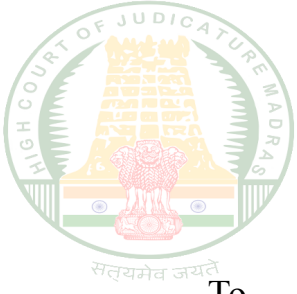
him and that the same has been challenged before the competent authority and is pending consideration. It was further contended that the official respondents, at the instance of the petitioner, are attempting to erect an electrical pole on the property belonging to the fifth respondent.

5. In view of the above, the impugned order dated 04.11.2023 issued by the second respondent is not legally sustainable and is liable to be set aside. Accordingly, the impugned order dated 04.11.2023 is set aside. The second respondent is directed to provide a temporary electricity service connection to the petitioner in S.No.240/4A, situated at Kulathur North Village, Vilathikulam Taluk, Thoothukudi District, subject to the petitioner satisfying the requisite criteria, and without erecting any pole on the property belonging to the fifth respondent or on the disputed extent of land measuring 8 cents. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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

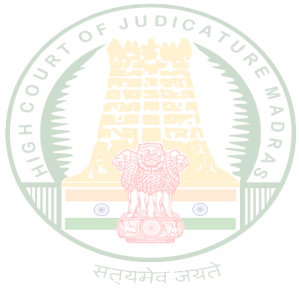
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HEMANT CHANDANGOUDAR, J.

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