WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 14445 of 2025
and WMP.Nos.16323, 16324 & 16325 of 2025

S.Mohan

..Petitioner(s)

Vs

1. The Chairman
   Tamilnadu Generation And Distribution
   Corportion Limited (TANGEDCO), No. 144
   Anna Salai, Chennai

2. The Assistant Executive Engineer (O &M)
   Korattur West, Chennai-600050

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorari, calling for the records of the second respondent in Provisional Assessment in letter No.உ.செ.பொ/இ&ப/கொரட்டூர்/ கோப்பு : மின் திருட்டு/ முகாம்/ அனுப்புகை நாள்:15.02.2025 and the consequential Final Assessment order dated 10.03.2025 in Letter No.AEE/O&M /Padi/ F.Camp/ D.No.37/2025 in respect of LT SC.No.039-001-4475 and quash the same.

For Petitioner(s): Mr.Rahul Balaji
for Mr.C.S.Kiran

For Respondent(s): Mr.L.Jai Venkatesh
Standing Counsel for R1 and R2

ORDER

The writ petition has been filed challenging the proceedings dated 15.02.2025 followed by a consequential final assessment order dated

https://www.mhc.tn.gov.in/judis

WEB COPY

10.03.2025.

2. Learned counsel for petitioner would submit that petitioner is a Senior Citizen and owner of the property bearing No.43, situated at Nehru Street, TMP Nagar, Padi, Chennai-600 050. Petitioner leased the entire building complex to Mr.Mohammed Yunus, who is in occupation of the premises from July 2024 and running a Mens Hostel in the name and style of Padmavathy Nivas Men's Hostel. On 15.02.2025, while petitioner was in Mayiladuthurai, TANGEDCO directed the petitioner to be present, however, petitioner was unable to immediately appear before the TANGEDCO officials. Subsequently, when the petitioner met the officials of TANGEDCO, he was informed that there has been theft of electricity by the said Mohammed Yunus. There was direction to pay compounding charges for seven service connections and one common connection. It was further informed that criminal proceeding has been initiated with regard to theft of electricity. Impugned proceedings is passed disconnecting service connection on the premise that petitioner has not paid consumption charges and penalty was imposed for alleged theft committed by his lessee.

3. Learned counsel for petitioner would place reliance on the judgment of this Court *W.P. No.20433 of 2015 dated 06.07.2016 reported in (2016) 5 LW 161*, wherein it was held that in the case of theft of electricity, the person who

https://www.mhc.tn.gov.in/judis

WEB COPY

has committed theft of electricity/the person who enjoyed the benefit alone must be held responsible, to submit that impugned proceeding against the petitioner is illegal.

4. As a matter of fact, learned counsel for petitioner would submit that even during the course of inspection, it has been recorded that the said Mohammed Yunus as "enjoyer" and he would also bring on record that a lease deed entered into between petitioner and the said Mohammed Yunus. Petitioner had no role in the alleged theft of electricity. He would further submit that unless electricity service is restored it would cause grave hardship to petitioner. He would thus request that respondents may be directed to restore the service connection.

5. To the contrary, learned Standing Counsel for respondents would submit that electricity service connections were discontinued for non-payment of consumption charges and penalty for the theft committed by petitioner's lessee.

6. Earlier, this Court granted an interim measure on the premise that out of the total sum of Rs.17,78,894.5/-, learned counsel for petitioner had submitted that a sum of Rs.2,04,000/- had already been paid by petitioner towards compounding charges.

https://www.mhc.tn.gov.in/judis

WEB COPY

7. Today, the learned Standing Counsel appearing for respondents circulated a worksheet disclosing that a sum of Rs.4,95,527/- is due and payable. The scanned copy of the said worksheet is attached hereunder :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(SPECIAL ORIGINAL JURISDICTION)

W.P. No. 14407, 14414 , 14429 , 14433 , 14438 , 14442, 14445 , Of 2025

S.Mohan .... Petitioner

TNPDCL & Anr. ... Respondents

CALCULATION MEMO FILED ON BEHALF THE RESPONDENT

Sl.No	W.P.No	LT SC No	Extra Levy / Penalty Charges levied for thieved units at two times of the applicable tariff .	CC Charges Payable for Deemed Consumption	Compounding Charges Paid	Consumption charges already paid	Amount Payable after adjesment of Compounding Charges=B-C
1	14445 / 25	039 – 001-4475	9,68,253	4,95,527	52,000	0	4,95,527
2	14407 / 25	039 – 001-5544	4,28,830	2,19,456	24,000	0	2,19,456
3	14414 / 25	039 – 001-5545	4,06,024	2,07,776	24,000	0	2,07,776
4	14429 / 25	039 – 001-5546	4,21,874	2,15,894	24,000	0	2,15,894
5	14433 / 25	039 – 001-5547	4,87,285	2,49,368	28,000	0	2,49,368
6	14438 / 25	039 – 001-5548	3,89,294	1,99,207	24,000	0	1,99,207
7	14442 / 25	039 – 001-5549	4,56,229	2,33,460	28,000	0	2,33,460
		Total =	**35,57,789 /-**		**2,04,000 / -**		**18,20,688 /-**
	Total Payable after adjustment of Compounding Charges						**18,20,688/-**

(Rupees Eighteen Lakhs Twenty Thousand Six hundred and Eighty Eight Only)

ASSISTANT EXECUTIVE ENGINEER
O&M KORATTUR
CEDC/WEST/TNPDCL, CHENNAI-80

8. In response, learned counsel for petitioner would submit that petitioner is liable only towards the actual charges of Rs.4,95,527/-, and that after giving

https://www.mhc.tn.gov.in/judis

WEB COPY

credit to the sum of Rs.52,000/- already paid towards compounding charges, the balance amount payable would be Rs.4,43,527/-. He would further submit that petitioner is ready and willing to pay the said balance amount.

9. Learned Standing Counsel appearing for respondents would submit that without prejudice to the present proceedings, liberty may be granted to the respondents to initiate appropriate proceedings against the tenant, if so advised, in accordance with law.

10. Having regard to the submissions and taking note of the willingness expressed by petitioner to discharge the outstanding dues, this Court is inclined to dispose of the Writ Petition on the following terms:

(i) petitioner shall pay a sum of Rs.1,64,606/- (Rupees One Lakh Sixty Four Thousand Six Hundred and Six Only) to the respondents within a period of two (2) weeks from today.

(ii) the balance sum of Rs.2,78,921/- (Rupees Two Lakh Seventy Eight Thousand Nine Hundred and Twenty One only) shall be paid in two (2) equal monthly instalments, the first instalment falling due within one month of payment of Rs.1,64,606/- in terms of Clause (1) supra and the second

https://www.mhc.tn.gov.in/judis

WEB COPY

instalment within one month from the date of payment of the first instalment.

(iii) On payment of the initial sum of Rs.1,64,606/- the respondents shall restore the electricity service connection within 48 hours.

(iv) In the event of default in payment of any of the amounts within the time stipulated above, it is open to the respondent authorities to proceed in accordance with law for recovery of the entire outstanding dues, without any further reference to this Court.

(v) It is needless to state that it is open to the respondents to proceed against the tenant in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

07-07-2026
(7/7)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ANU

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Chairman
   Tamilnadu Generation And Distribution
   Corportion Limited Tangedco, No. 144 Anna
   Salai, Chennai

2. The Assistant Executive Enginer
   Korattur West, Chennai

https://www.mhc.tn.gov.in/judis

WEB COPY

MOHAMMED SHAFFIQ, J.

ANU

WP No. 14445 of 2025
and WMP.Nos.16323, 16324 & 16325 of 2025

07-07-2026

(7/7)

https://www.mhc.tn.gov.in/judis