

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3/11/2015

C O R A M

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.32962 of 2015
a n d
M.P.Nos.1 to 3 of 2015

S. Veeramani

...Petitioner

Vs

1. The Chairman
Tamil Nadu Electricity Board
No.144 Anna Salai
Chennai 600 002.

2. The Superintending Engineer
CEDC/South
Tamil Nadu Electricity Generation
and Distribution Corporation
Guindy, Chennai 600 032.

3. The Assistant Executive Engineer
Operation and Maintenance
CEDC/South
Tamil Nadu Electricity Generation and
Distribution Corporation
Guindy, Chennai 600 032.

...Respondents

Prayer :-Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of certiorari to call for the records pertaining to the order of Provisional Assessment report dated 7/10/2015 passed by the third respondent and quash the same.

For petitioner Mr.S.Sathish Rajan
For respondents ... Mr.P.Gunaraj

O R D E R

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. Heard Mr.S.Sathish Rajan, learned counsel for the petitioner and Mr.P.Gunaraj, learned Standing Counsel for the respondents.

3. This writ petition is filed praying to challenge the provisional order of assessment passed by the respondent Board claiming a sum of Rs.50,570/- (Rupees Fifty thousand five hundred and seventy only) towards the extra levy charges and other charges on account of theft of energy committed in the service connection standing in the name of the petitioner by way of tapping.

4. At the time when the writ petition was entertained, an interim order was passed on 16th October 2015, directing the petitioner to deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) with the third respondent, which direction was complied with. That apart, the petitioner has already paid a sum of Rs.6,000/-. Thus what remains is to be done is to finalise the Provisional Assessment and pass a final assessment in the matter before which the petitioner is entitled to an opportunity.

5. The learned Standing Counsel for the respondent Board that on compliance with the conditional order, the electricity service connection has been restored and it will remain as such till the third respondent finalises the assessment.

6. In view of the above facts and circumstances of the case, the petitioner is directed to treat the provisional assessment as a notice and submit his objection/explanation before the third respondent, who shall consider his objection/explanation and pass a final order in the assessment, after taking note of all the circumstances.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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Sd/
ASSISTANT REGISTRAR (CS-VII)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

mvs.

To

1. The Chairman
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Chennai 600 002.
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CEDC/South
Tamil Nadu Electricity Generation
and Distribution Corporation
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Operation and Maintenance
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Tamil Nadu Electricity Generation
and Distribution Corporation
Guindy, Chennai 600 032.

+1 CC to MR.P.Gunaraj Advocate. SR.NO. 60338

+1 CC to MR.S.Sathish Rajan Advocate. SR.NO.60543

W.P.No.32962 of 2015

CO-VD
JD 30/11/2015

सत्यमेव जयते

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