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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.04.2015

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THE HONOURABLE **MR. JUSTICE .R. MAHADEVAN**

W.P(MD) .No.15870 of 2013
and
M.P. (MD) .No.1 of 2013

Dr.S.Subramani

... Petitioner

Vs

1.Anti-power Theft Squad,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Thanjavur.

2.The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and
Distribution Corporation Ltd.
Keeranur, Pudukkottai District.

... Respondents

This Writ Petition has been filed praying for a Writ of Certiorarified Mandamus calling for the records from the 2nd respondent in his Proceedings in Letter No.AEE/APN/KNR/F.APTS/DNO 309 dated 22.03.2010 calling upon the petitioner to pay Rs.43,730/- and to quash the same and consequently direct the 2nd respondent to restore service connection to Petition S.C.No.A1255 Keeranoor, Pudukkottai District.

For petitioner : Mr.N.Balakrishnan

For respondents : Mr.S.M.S.Johnny Basha
Tamil Nadu Electricity Board

ORDER

This Writ Petition has been filed praying for a writ of Certiorarified Mandamus to call for the records from the 2nd respondent in his Proceedings in Letter No.AEE/APN/KNR/F.APTS/DNO 309 dated 22.03.2010 calling upon the petitioner to pay Rs.43,730/- and to quash the same and consequently direct the 2nd respondent to restore service connection to Petition S.C.No.A1255 Keeranoor, Pudukkottai District.

2. The learned counsel appearing for the petitioner submits that the petitioner never used the one H.P.motor for the purpose of construction as alleged by the Tamil Nadu Electricity Board. Further, the pre-assessment notice was passed, calling upon the petitioner to pay the penalty charges, without any notice to the petitioner.



3. The learned Standing Counsel for the respondents would submit that during inspection it was found that the petitioner used one H.P.Motor for the purpose of construction, violating the norms prescribed under the Electricity Act, 2003 and therefore, the impugned order has been issued.

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4. In view of the above, the petitioner is directed to treat the impugned order as a show cause notice and file his objections before the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the objections to be filed by the petitioner, the second respondent is directed to consider the same and pass appropriate orders, after giving an opportunity of hearing to the petitioner, within three weeks thereafter. The petitioner is at liberty to produce all the relevant records before the second respondent to prove his innocence.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1.Anti-power Theft Squad,
Tamil Nadu Generation and Distribution
Corporation Ltd., Thanjavur.

2.The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Ltd.
Keeranur, Pudukkottai District.

+1cc to M/S.N.Balakrishnan, Advocate in SR.No. 21852

TS/28.04.2015/2P-4C

W.P(MD) .No.15870 of 2013

23.04.2015