

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.1815/2016

M/s.Sabarinathan Agro [P] Ltd
HTSC No.311, SF No.123/3, Sabari Garden
Near Karanampettai, Paruvai Post
Palladam Taluk, Coimbatore 641658
rep.by its Managing Director
N.Chandrasekaran ... Petitioner

V.

The Superintending Engineer
Coimbatore Electricity Distribution Circle/Metro
TANGEDCO, Tatabad,
Coimbatore-12 ... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to consider the representation of the petitioner dated 29.12.2015 and calculate the demand taking into consideration of 800 KVA instead of 1300 KVA for the month of December 2015 for the electricity service connection in HTSC No.311 of the petitioner.

For Petitioner ... Mr.V.Elangovan
For Respondents ... Mr.S.K.Rameshwar,
Standing counsel

ORDER

Heard the learned counsel for the petitioner and Mr.S.K.Rameshwar, learned Standing Counsel accepting notice on behalf of the respondent and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner prays for a direction to the respondent to consider his representation dated 29.12.2015 and calculate the demand taking into consideration the connected line as 800 KVA instead of 1300 KVA for the month of December 2015 for the electricity service connection in HTSC No.311 of the petitioner's factory.

3.It is admitted by the petitioner that the connected load is 1300 KVA however the petitioner sought for reduction in the load to 800 KVA and an application was submitted. The petitioner earlier filed a writ petition in W.P.No.40627 of 2015 to direct the respondents to reduce the connected load. The said writ petition was disposed of by this Court on 22.12.2015 directing the petitioner's application to be considered on merits and in accordance with law. Pursuant thereto, an order has been passed by the Superintending Engineer, Coimbatore on 23.12.2015 imposing 6 conditions. According to the petitioner, he has complied with the 6 conditions. The grievance of the petitioner is that the bill dated 01.01.2016 has been issued by calculating the connected load of 1300 KVA instead of 800 KVA. It has to be pointed out that the connected load is yet to be reduced and the matter is pending consideration.

4.Be that as it may, since the representation is pending before the authority concerned, the authority may look into the matter and take a decision on merits and in accordance with law.

5.In the light of the above discussion, without going into the merits of the petitioner's claim, there will be a direction to the respondent to consider the representation of the petitioner dated 29.12.2015 on merits and in accordance with law and pass orders within a period of three weeks from the date of receipt of a copy of this order.

6.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The Superintending Engineer
Coimbatore Electricity Distribution Circle/Metro
TANGEDCO, Tatabad, Coimbatore-12.

+1cc to Mr.S.Doraisamy, Advocate Sr.3153
+ 1 cc to Mr.S.K.Raameshuwar, Advocate Sr 3982 (29/3/16)

W.P.No.1815 of 2016

rsy[co]
srg 28/01/2016