

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.A.No.170 of 2016
and
C.M.P.No.2368 of 2016

S.Jagadeesh Babu .. Appellant

Vs

- 1.Tamil Nadu Electricity Board
rep. by The Chairman cum
Managing Director,
Anna Salai, Chennai - 2.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Bangalore Bypass Road,
Krishnagiri, Krishnagiri District.
- 3.The Executive Engineer,
Office of the Executive Engineer,
SIPCOT, Hosur, Krishnagiri District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board,
SIPCOT, Hosur, Krishnagiri District. .. Respondents

Appeal filed under Clause 15 of Letters Patent against the order dated 21.12.2015 made in W.P.No.40312 of 2015.

Writ petition filed under Article 226 of the Constitution of India praying to issue writ of certiorari mandamus to call for the records relating to the impugned Additional Levy Notice dated 17.11.2015 issued by the 4th respondent and quash the same and consequently direct the 3rd respondent to restore Service Connection under Service Connection No.066-019-1019 to the petitioner Bore Well at Meenakshi Lay Out Govinda Agragaram SIPCOT II Veedhapatti Hosur within a time frame.

For Appellant .. Mr.M.D.Thirunavukkarasu

For Respondents.. Mr.M.Varunkumar

JUDGMENT

(Judgment of the Court was delivered by SATISH K.AGNIHOTRI, J.)

Mr.M.Varunkumar, learned Standing Counsel accepts notice on behalf of the respondents. With the consent of learned counsel appearing for the parties, the writ appeal is taken up for final disposal, at the admission stage itself.

2.The instant writ appeal is directed against the order dated dated 21 December 2015 in W.P.No.40312 of 2015, whereunder, the appellant/writ petitioner was directed to pay a sum of Rs.1,50,963/- towards current consumption charges and the fourth respondent was directed to pass orders on submission of the appellant's objections.

3.Learned counsel appearing for the appellant submits that the consumption charges imposed on the petitioner have been arrived at on an erroneous basis. The learned single Judge had granted liberty to the appellant to submit his objections and further directed the fourth respondent to consider the objections filed by the appellant and take an appropriate decision. In the meantime, a direction is passed to deposit the aforestated amount as well.

4.Learned Standing Counsel appearing for the respondents fairly submits that the electricity service connection will be restored, subject to deposit of the aforestated amount and also the final order to be passed by the authorities on consideration of the appellant's objections.

5.We have examined carefully aforestated submissions advanced by the learned counsel for the parties in the light of pleadings made therein.

6.Regard being had to the nature of dispute involved herein, wherein the consumer is given liberty to file his objections with a direction to the fourth respondent to take final call in the matter, no adjudication is necessitated at this stage. In the facts of the case, we are inclined to direct that the respondents shall restore electricity service connection on deposit of a sum of Rs.1,50,963/- by the appellant. The said restoration of electricity service connection is subject to final outcome of the order likely to be passed by the fourth respondent, on consideration of the appellant's objections/representation.

7.With the aforesaid observation and direction, the writ appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

- 1.The Chairman cum Managing Director,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 2.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Bangalore Bypass Road,
Krishnagiri, Krishnagiri District.
- 3.The Executive Engineer,
Office of the Executive Engineer,
SIPCOT, Hosur, Krishnagiri District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board,
SIPCOT, Hosur, Krishnagiri District.

1 cc to Mr.M. Varunkumar, Advocate, Sr. 10314

1 cc to Mr.M.D. Thirunavukkarasu, Advocate, Sr. 9856

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W.A.No.170 of 2016

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