

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.02.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.7387/2016 & WMP.Nos.6595 & 6596/2016

N.Amala

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Petitioner

Versus

1.the Chairman and Managing Director  
Tamil Nadu Electricity Board  
Electricity Avenue, No.800,  
Anna Salai, Chennai 600 002.

2.The Superintending Engineer  
Tamil Nadu Electricity Board,  
Salem Main Road, Krishnagiri  
Krishnagiri District.

3.The Executive Engineer  
Tamil Nadu Electricity Board,  
SIPCOT, Hosur.

4.The Assistant Engineer  
Tamil Nadu Electricity Board,  
SIPCOT, Hosur.

5.The Assistant Accounts Officer  
Tamil Nadu Electricity Board,  
SIPCOT, Hosur.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records relating to the impugned additional Lr.No.OO.su.su./va.p/hosur/tha.ma.6/ko.7A/2016 dated 05.02.2016 issued by the 5<sup>th</sup> respondent and quash the same and consequently, direct the 3<sup>rd</sup> respondent to restore service connection under Service Connection No.066-019-495 to the petitioner's Borewell at 18/2A Govindha Agragaram, SIPCOT, Hosur, Begapalli, Krishnagiri District within a time frame.

For Petitioner : Mr.M.D.Thirunavukkarasu

For RR 1 to 5 : Mr.M.Varun Kumar

## ORDER

Heard the learned counsel for the petitioner ; Mr.M.Varun Kumar, learned counsel accepting notice on behalf of the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage.

2 Challenging the demand raised by the 5<sup>th</sup> respondent, who is the Assistant Accounts Officer, of the Tamil Nadu Electricity Board, the present writ petition is filed. The petitioner has been granted an electricity service connection and the present demand appears to be pursuant to an Audit Objection raised. The petitioner stated that already a complaint is pending before the 4<sup>th</sup> respondent as regards the faulty meter and without verifying the same and without obtaining a MRT Meter reading with regard to the usage of electricity and all of a sudden, the impugned demand has been raised. On a perusal of the impugned notice, it is evident that the petitioner has not been furnished with details as to on what basis, the amount has been demanded. However, due to non-payment of the amount, the electricity connection has been disconnected.

3 In the light of the above facts, while balancing the interest of both sides, there will be a direction to the petitioner to pay a sum of Rs.3,50,000/- [Rupees Three Lakhs and Fifty thousand only] to the respondents 3 and 4. On such amount being remitted, the electricity supply shall be restored. Thereafter, the 5<sup>th</sup> respondent shall furnish the details of the basis on which the impugned demand has been made, give a working sheet to the petitioner ; afford her an opportunity to submit her objection and thereafter, after affording an opportunity of personal hearing, pass reasoned orders on merits and in accordance with law. The above direction shall be complied with by the 5<sup>th</sup> respondent within a period of eight weeks from the date on which the petitioner remits the amount of Rs.3.5 lakhs, as directed by this Court in this order. It is needless to state that the petitioner should continue to pay the current consumption charges without default.

4 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Chairman and Managing Director  
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Tamil Nadu Electricity Board,  
SIPCOT, Hosur.

+1 cc to Mr.M.D.Thirunavukkarasu, Advocate, sr.3003

WP.No.7387 of 2016

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