



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P (MD) No.20402 of 2016
and WMP (MD) No.14595 of 2016

T.Ramesh

... Petitioner

Vs.

1.The Superintendent of Engineer,
Tamil Nadu Electricity Board,
Thoothukudi District.

2.The Assistant Engineer,
DISTN/TANGEDCO,
Padukkapathu,
Sathankulam Taluk,
Thoothukudi District - 628 703.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records relating to the proceedings of the impugned order in Ka.No.U.Mi.po/Vi/Padukkapathu/Ka.A/Ko.Thanikkai/A.No.120/2016 dated 29.07.2016 on the file of the 2nd Respondent and quash the same.

For Petitioner : Mr.I.Robert Chandrakumar
For Respondents : Mr.A.V.Ramanathan

O R D E R

The proceedings issued by the second respondent directing the petitioner herein to pay a sum of Rs.19,710/- within a period of three days, towards re-assessment of electricity charges, are under challenge in this Writ Petition.

2.Heard the learned counsel for the petitioner and the learned Standing Counsel, who takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the stage of admission.

3.The facts leading to the filing of the writ petition are as under:

<https://hcservices.ecourts.gov.in/hcservices/>

The petitioner secured electricity service connection for



his residential accommodation and he is regularly paying electricity bill. The electricity consumption bill details furnished before this Court would show the average consumption of electricity made by the petitioner herein.

4. The learned counsel for the petitioner would submit that there is no basis for re-assessment at Rs.19,710/- and this order has been passed by violating principles of natural justice. Submitting that the electricity bills are being regularly paid by the petitioner and that the order should be reconsidered, the representation dated 03.09.2016 has been submitted. But still there is an attempt on the part of the second respondent to disconnect the electricity service connection. Hence, this Writ petition has been filed.

5. A perusal of the order would go to show that the order itself has been passed without affording an opportunity of hearing to the petitioner to show cause as to why such re-assessment amount should not be paid by the petitioner herein.

6. Under such circumstances, the order of the second respondent dated 29.07.2016 is set aside and the matter is remitted back to the second respondent. The second respondent is directed to follow the principles of natural justice and pass further orders in accordance with law.

7. The Writ petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.14595 of 2016 is closed.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Engineer,
Tamil Nadu Electricity Board, Thoothukudi District.

2. The Assistant Engineer,
DISTN/TANGEDCO, Padukkapathu,
Sathankulam Taluk, Thoothukudi District - 628 703.

+1 cc to M/s. I. Robert Chandrakumar, Advocate in SR.No.63702
mj

CSL/PV/15.11.2016 :2P/4C