

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.27542 of 2017
and
W.M.P.Nos.29435 and 29436 of 2017

K.P.Karunanidhi

.. Petitioner

Vs.

1. The Superintendent Engineer
Tamil Nadu Electricity Generation and
Distribution Corporation,
Villupuram,
Villupuram District.
 2. The Executive Engineer (O & M)
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kandamangalam,
Villupuram District.
 3. The Assistant Executive Engineer (O & M),
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kandamangalam,
Villupuram District.
- सत्यमेव जयते .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 3rd respondent dated 19.10.2017 made in Letter No.AEE/O& M/KMG/F. Theft of Energy/D.No.862/2017 and to quash the same and consequently direct the 3rd respondent to restore the agricultural electricity service connection in SC No.431-010-102 situate at Pillaiyar Kovil street, Pallithennal Village, Villupuram Taluk and district forthwith

For Petitioner: Mr.C.Prabakaran

For Respondents: Mr.Varunkumar
Standing counsel for R1 to R3.

O R D E R

The petitioner is aggrieved against the order passed by the 3rd respondent calling upon him to pay a sum of Rs.67,135/- towards the loss caused by the petitioner due to dishonest abstraction/illegal restoration of supply of electricity.

2. Heard Mr.Prabakaran, learned counsel for the petitioner and Mr.Varunkumar, learned Standing Counsel who takes notice for the respondents.

3. Perusal of the impugned order would show that in pursuant to a surprise inspection conducted on 19.10.2017 at 2.45 hours it was noticed that the service connection given to the petitioner meant for agricultural purpose was used for domestic purpose by way of energy theft. Therefore, the 3rd respondent issued the impugned proceedings also by attaching the worksheet indicating as to how such quantum of Rs.67,135/- has been arrived at. The petitioner gave his explanation on 21.10.2017 admitting that he has taken the power supply only for a short period of seven days, that too, for using the washing machine and therefore, for such period, the authority can collect the penalty.

4. The above contention raised by the petitioner is reiterated before this Court by the learned counsel for the petitioner.

5. I do not find that there is any justification on the part of the petitioner to make such request having admitted that he has illegally drawn the power supply for domestic purpose which was meant for agricultural purpose. Whether it is used for one week or one year, cannot be considered as pleaded by the petitioner since, but for the surprise inspection, it would have not been noticed by the authorities of such theft of energy. Therefore, I do not find any reason to interfere with the impugned order. However, as pleaded by the learned counsel for the petitioner, the time granted for making such payment is extended by four week from today. Immediately on payment of such amount, the respondents shall restore the electricity supply to the petitioner.

6. With the above observation and direction, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent Engineer
Tamil Nadu Electricity Generation and
Distribution Corporation,
Villupuram,
Villupuram District.
2. The Executive Engineer (O & M)
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kandamangalam,
Villupuram District.
3. The Assistant Executive Engineer (O & M),
Tamil Nadu Electricity Generation and
Distribution Corporation,
Kandamangalam,
Villupuram District.

सत्यमेव जयते

W.P.No.27542 of 2017

skv(co)
ss(27/10/2017)

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