



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.12690 of 2017

and

W.M.P.(MD)No.9800 of 2017

T.Sebasthiyan

.. Petitioner

Versus

- 1.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Ramanathapuram.
- 2.The Executive Engineer (Distribution),
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Paramakudi,
Ramanathapuram District.
- 3.The Assistant Executive Engineer (Distribution),
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Mudukulathur,
Ramanathapuram District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Sayalkudi,
Ramanathapuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records in Ka.No.Oo.Mi.Po/Vini/Sayal/Ko.Kattu/A.No.317/2017, dated 10.05.2017 and quash the same and further direct the respondents to conduct a fresh enquiry.

For Petitioner : Mr.K.Kumaravel

For Respondents : Mr.E.P.Venkatesh Kumar

for Mr.S.M.S.Johny Basha for TNEB

O R D E R

Mr.S.M.S.Johny Basha, learned counsel takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal.



2.The petitioner is challenging the correctness of the impugned order, dated 10.05.2017, in and by which, the electricity service connection given to the petitioner in S.C.No.354 006 329 was disconnected on the ground that the occupier failed to pay the electricity charges. Assailing the same, the present Writ Petition has been filed.

3.The petitioner, in his Writ Petition, has clearly admitted the non-payment of his electricity charges, which is given as under:

"4.I submit that at the time, one Baskar, S/o.Thangamani, who belongs to Thirunelveli District, approaching me to get the Palm Industry on lease. On the basis of the oral agreement, I have given the Palm Industry to him in the year of September, 2015 and he has running the Industry, without any hindrance. By sudden financial crisis, he has not paid the Electricity Charges of Rs.6468/- and the 2nd respondent sent a notice for termination of agreement to me on 29.03.2016. After receiving notices from the 2nd respondent, I have approached the 2nd respondent explained the all the facts of this case. Subsequently, the 3rd respondent came to my house and asked my signature in the format filled up by them and issued a order on 10.05.2016 that it was found that an offence of theft has been committed by un-authorized re-connection of a disconnected service for the use of Palm Industry and the respondents have estimated the loss of sum of Rs.1,57,616.00. After receiving order from the 3rd respondent, I have paid a sum of Rs.16,839.00 to restore the disconnection, which was the respondents have promised."

4.The above admission of arrears of electricity charges itself does not permit the petitioner to seek any lenience and indulgence of this Court. Therefore, this Court finds no error or infirmity in the impugned order disconnecting the electricity service connection. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.S.M.S.Johnny Basha, Advocate, SR.No.64478

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RL/2C/2P/KK/SAR4/24/7/2017

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