



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.23893 of 2017

and

WMP (MD) No.20033 of 2017 &

WMP (MD) No.20034 of 2017

R.Rasammal

... Petitioner

Vs.

1. The Superintending Engineer,
TANGEDCO,
Thanjavur Electricity Distribution Circle,
Thanjavur.
2. The Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Orathanadu, Thanjavur District.
3. The Assistant Executive Engineer,
Operation and Maintenance (Rural),
TANGEDCO,
Orathanadu,
Thanjavur District.
4. The Assistant Engineer,
Operation & Maintenance,
Urantharayangudi Kadu,
Orathanadu Taluk,
Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari and Mandamus calling for the records relating to the impugned provisional assessment of 3rd respondent in Lr.No.AEE/O&M/RL/ORD/CI/ F.THEFT/D.002/17-18/dated 28.09.2017 and the consequential impugned order of the 3rd respondent in Lr.No.AEE/O&M/RL/ORD/CI/ F.THEFT/D.154/17 dated 10.10.2017 quash the same and consequently direct the respondents herein to collect the electricity consumed by the petitioner as per the meter reading by restoring the electricity service connection of the petitioner in SC.No.06-438-003-998 to the petitioner and in accordance with law.



For Petitioner : Mr.P.Kandasamy

For Respondents : Mrs.Srimathy,
Standing Counsel

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ORDER

The writ petitioner challenges the impugned order by which, she has been called upon to pay a sum of Rs.1,93,740/-. The impugned order alleges that there was a disconnection of supply of electricity connection on 19.01.2017 and that the same was illegally restored. Therefore, a sum of Rs.1,93,740/- has been levied.

2.The impugned order is bereft of any reason. It also does not indicate that the explanation of the petitioner was considered properly. Since there is a violation of principles of natural justice, the impugned order dated 10.10.2017, is set aside and the matter is remitted to the third respondent herein, for fresh consideration, in accordance with law.

3.The writ petitioner is directed to pay a sum of Rs.25,000/- to the credit of SC.No.06-438-003-998 in respect of her service connection and on furnishing the proof of such payment to the third respondent, electricity service connection shall be restored forthwith to the petitioner.

4.The writ petition is allowed accordingly. No costs. Consequently, MP(MD)Nos.20033 and 20034 of 2017, are closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

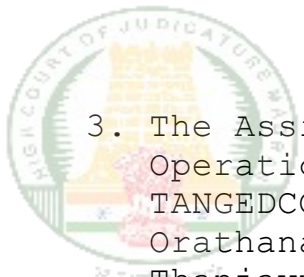
Sub Assistant Registrar

To

1. The Superintending Engineer,
TANGEDCO,
Thanjavur Electricity Distribution Circle,
Thanjavur.

2. The Executive Engineer,
Operation and Maintenance,
TANGEDCO,

<https://hcservices.ecourtts.gov.in/hcservices/>
Oranchandu, Thanjavur District.



3. The Assistant Executive Engineer,
Operation and Maintenance (Rural),
TANGEDCO,
Orathanadu,
Thanjavur District.

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4. The Assistant Engineer,
Operation & Maintenance,
Urantharayangudi Kadu,
Orathanadu Taluk,
Thanjavur District.

+ 1 cc TO Mr.P.Kandasamy , Advocate in SR No. 94533

dsk

AE/SKN RSK/SAR3/26.12.2017/3P/6C

W.P. (MD) No.23893 of 2017
22.12.2017