



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.2897 of 2017

Urkavalan ... Petitioner
Vs.

1.The Chief Engineer,
TANGEDCO,
K.Pudur, Madurai.

2.The Executive Engineer,
TANGEDCO, Srivilliputhur,
Virudhunagar District.

3.The Assistant Executive Engineer,
TANGEDCO, Watrap,
Virudhunagar District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the third respondent to return the fine amount of Rs.20,306/- by considering the Petitioner's representation dated 24.11.2014.

For Petitioner : M/s.S.Muniyandi

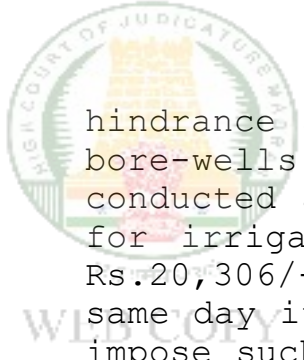
For Respondents : Mr.G.Kasinathadurai
Standing Counsel for TNEB

ORDER

This Writ Petition has been filed, seeking a direction to the third respondent to return the fine amount of Rs.20,306/- by considering the Petitioner's representation dated 24.11.2014.

2.Mr.G.Kasinathadurai, learned Standing Counsel takes notice for the respondents/TNEB. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the Petitioner is an agriculturist and the land in S.No.166/3A, situated at Vadugapatti Village, Srivilliputhur Taluk, Virudhunagar District was cultivated by him for the past 20 years without any let or



hindrance and is also enjoying electricity connection for his two bore-wells in his land. While so, the third Respondent officials conducted an inspection and found the usage of change over switch for irrigation purpose by the Petitioner and imposed a fine of Rs.20,306/- on 15.3.2014 and has also remitted the same on the same day itself. However, the third respondent has no authority to impose such fine amount on the Petitioner Hence the Petitioner has submitted a representation on 24.11.2014 in this regard to the respondents to return the said fine amount and since the said representation did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The counsel for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner and pass orders thereon.

5. In view of the submission, the third respondent is directed to consider the representation of the petitioner, dated 24.11.2016 and to pass appropriate orders on the same in accordance with law within a period of one month from the date of receipt of a copy of this order. No costs.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar

vsn

To:

1. The Chief Engineer, TANGEDCO,
K. Pudur, Madurai.

2. The Executive Engineer, TANGEDCO, Srivilliputhur,
Virudhunagar District.

3. The Assistant Executive Engineer,
TANGEDCO, Watrap, Virudhunagar District.

+1CC to Mr. G. Kasnathadurai, Advocate Sr.No.10157

GJM/BS/SAR-I-7.3.17-2p-5C

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