

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3352 of 2018

and

WMP.No.4102 of 2018

D.Paranthaman
S/o.Dharma Naidu

.. Petitioner

Vs.

1.The Chairman
Tamil Nadu Generation and Distribution
Corporation Limited
Secretariat Branch
9th Floor, NPKRR Maligai
144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer (Distribution)
Tamil Nadu Generation and Distribution
Corporation Limited
Anna Nagar / Central
CEDC/WEST, Secretariat Branch,
9th Floor, NPKRR Maligai
144, Anna Salai, Chennai-600 002.

3.The Superintending Engineer
Tamil Nadu Generation and Distribution
110/33KV, Thirumangalam
SS Campus, Anna Nagar,
Chennai-600 040.

4.The Executive Engineer
Operation and Maintenance
Tamil Nadu Electricity Board
Anna Nagar / Central,
CEDC/WEST, Chennai-600 040.

5.The Assistant Engineer
Operation and Maintenance
Tamil Nadu Electricity Board
Anna Nagar / Central
CEDC / WEST, Chennai-600 040.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the proceedings of the 5th respondent in letter No.AE/O&M/ANR/C/F.A.SF/D.No./314/2018 dated 08.01.2018 issued by 5th respondent and quash the same.

For Petitioner : Mr.V.Manisekaran
For Respondents : Mr.P.R.Dilipkumar
standing counsel

O R D E R

Mr.P.R.Dilipkumar, learned standing counsel takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the proceedings of the fifth respondent dated 08.01.2018, wherein and whereby, the petitioner was called upon to pay a sum of Rs.4,47,730/- (Rupees Four Lakhs Forty Seven Thousand Seven Hundred and Thirty Only) towards arrears of current consumption charges, due to defect in the meter, within a period of seven days.

3. Heard both sides.

4. It is seen that the fifth respondent has demanded such payment from the petitioner, claiming to be the arrears of the current consumption charges, based on the audit report. It is also seen that the reason stated for such demand was due to defect in the meter. In the very impugned order itself, the fifth respondent has also given an opportunity to the petitioner to get clarification, if any, by contacting the office of the fifth respondent. Therefore, the petitioner sent an objection on 22.01.2018 and requested to withdraw the impugned demand notice. In the said objection/representation, the petitioner has given certain facts and figures, justifying his stand against the demand.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the fifth respondent to consider and decide, based on the objection raised by the petitioner. Accordingly, without expressing any view on the merits of the matter, this writ petition is disposed of, only with a direction to the fifth respondent to consider the objection raised by the petitioner and pass orders on the same on merits and in accordance with law. If the petitioner wishes to give any further additional representation / objection, it is open to him to do so, within a period of 7 days

from the date of receipt of a copy of this order. On receipt of such representation / objection, the fifth respondent is directed to consider the same on merits and in accordance with law, within a period of two weeks, thereafter. Till such time, the impugned demand shall be kept in abeyance. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Chairman
Tamil Nadu Generation and Distribution
Corporation Limited
Secretariat Branch
9th Floor, NPKRR Maligai
144, Anna Salai,
Chennai-600 002.

2.The Chief Engineer (Distribution)
Tamil Nadu Generation and Distribution
Corporation Limited
Anna Nagar / Central
CEDC/WEST, Secretariat Branch,
9th Floor, NPKRR Maligai
144, Anna Salai, Chennai-600 002.

3.The Superintending Engineer
Tamil Nadu Generation and Distribution
110/33KV, Thirumangalam
SS Campus, Anna Nagar,
Chennai-600 040.

4.The Executive Engineer
Operation and Maintenance
Tamil Nadu Electricity Board
Anna Nagar / Central,
CEDC/WEST, Chennai-600 040.

5.The Assistant Engineer
Operation and Maintenance
Tamil Nadu Electricity Board
Anna Nagar / Central
CEDC / WEST, Chennai-600 040.

+1 cc to Mr.V.Manisekaran Advocate sr 11960

W.P.No.3352 of 2018

ad(co)
aa23/02/2018



WEB COPY