

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 14.12.2018

CORAM
THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. No.6004 of 2011
& M.P.No.1 of 2011

S.T.Senthilkumar

.. Petitioner

versus

- 1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Erode.
- 2.The Assistant Executive Engineer,
Operation and Maintenance,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Kodumudi - 638 151.
- 3.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Erode Electricity Distribution Circle,
Thamaraipalayam - 638 154.
- 4.The Executive Engineer,
Lower Bhavani Basin Division,
Public Works Department,
Erode.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records related to the impugned order passed by the third respondent in Ka.No.U.Me.Po./E&P/Ta.Pa/ Ko.Accounted/Va.Aa/ No.249 /2010 dated 18.12.2010 and quash the same.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.S.K.Rameshwar
Standing Counsel for TNEB

O R D E R

The Writ Petition has been filed to issue a Writ of Certiorari, to call for the records related to the impugned order dated 18.12.2010 passed by the third respondent and quash the same.

2. According to the petitioner, he submitted his application on 09.12.2010 requesting the respondents to disconnect the free agricultural electricity connection provided to him for the reason that he is not availing the same and at this stage, the said impugned order passed is illegal and without justification.

3. The learned Standing Counsel appearing for the respondents would submit that aggrieved over the said impugned order, the petitioner shall approach before the Tamil Nadu Consumer Grievance Redressal Forum to seek his remedy either in law or in facts.

4. This Court has accepted the contention of the learned Standing Counsel appearing for the respondents that the petitioner shall approach the Appellate Authority to seek his remedy and without existing an alternative remedy provided under Section 7 of the Tamil Nadu Consumer Grievance Redressal Forum, at this stage this Writ Petition is not maintainable under Article 226 of the Constitution of India.

5. The Writ Petition stands disposed of, with liberty to the petitioner to seek his remedy before the Appellate Authority. Further, it is open to the petitioner to submit his appeal before the Appellate Authority, within a period of two weeks from the date of receipt of a copy of this order. If any such appeal is filed within the said time, the Appellate Authority shall consider the same and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, within a period of eight weeks thereafter. Till such time, the respondents shall not take any coercive steps to recover the above demand amount. In the event, the petitioner has not approached the Appellate Authority within the aforesaid time, it is open to the respondents to proceed the same in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sri

To

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Erode.

2.The Assistant Executive Engineer,
Operation and Maintenance,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Kodumudi - 638 151.

3.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Erode Electricity Distribution Circle,
Thamaraipalayam - 638 154.

4.The Executive Engineer,
Lower Bhavani Basin Division,
Public Works Department,
Erode.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.87202

W.P. No.6004 of 2011

VD(CO)

rrs 24/01/2019



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