

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.24778 of 2014

and

M.P.No. 2 of 2014

K.S.Kannappan

...Petitioner

Vs.

1.The Superintendent Engineer
Tamil Nadu Generation and Distribution
Corporation Ltd.
Tirupur Electricity Distribution Circle
Veerapandi, Tirupur District.

2.The Assistant Executive Engineer (O&M)
Tamil Nadu Generation and Distribution
Corporation Ltd.
Tirupur Electricity Distribution Circle
Veerapandi, Tirupur District.

.... Respondents

Prayer Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the records of the second respondent in demand notice and observation mahazar dated 11.07.2014 along with the working sheet for (UAE) energy theft case in respect of Electricity Service Connection bearing No.214-002-460/IV Agri in S.F.No.2/1, Karaipudur Village belonging to petitioner and quash the same and consequently, direct the second respondent to restore the electricity service connection to petitioner in respect of the Electricity service connection bearing No.214-002460/IV Agri in S.F.No.2/1, Karaipudur Village.

For Petitioner : Mr.S.S.Swaminathan

For Respondents : Mr.S.K.Raameshwar
Standing Counsel [for EB]

O R D E R

The demand notice and the observations mahazar dated 11.07.2014 along with the working sheet for the energy theft case in respect of electricity service connection bearing no.214-002-460/IV Agri in S.F.No.2/1, Karaipudur Village belonging to petitioner and quash the same and consequently,

direct the second respondent to restore the electricity service connection to the petitioner in respect of the Electricity Service Connection bearing No.214-002-460/IV Agri in S.F.No.2/1, Karaipudur Village, is under challenge in this writ petition.

2.The learned counsel for the writ petitioner states that the writ petitioner is ready to face the enquiry in the event of serving the original or certified copy of the demand notice and other proceedings issued against the writ petitioner. It is needless to state that the writ petitioner has to participate in the process of enquiry in respect of theft of energy. The respondent had initiated action for theft of energy in respect of the service connection cited supra.

3.The learned counsel appearing on behalf of the respondents states that 50% of the demand amount had already been deposited by the writ petitioner and the balance also to be deposited by the writ petitioner. However, all further demand in respect of the theft of energy shall be initiated only after serving the original or certified copy of the demand notice and other proceedings. Thus, the second respondent is directed to serve the original or certified copy of the demand notice and other connected documents to the writ petitioner within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the writ petitioner has to participate in the process of enquiry and defend his case in the manner known to law.

4.With these observations, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

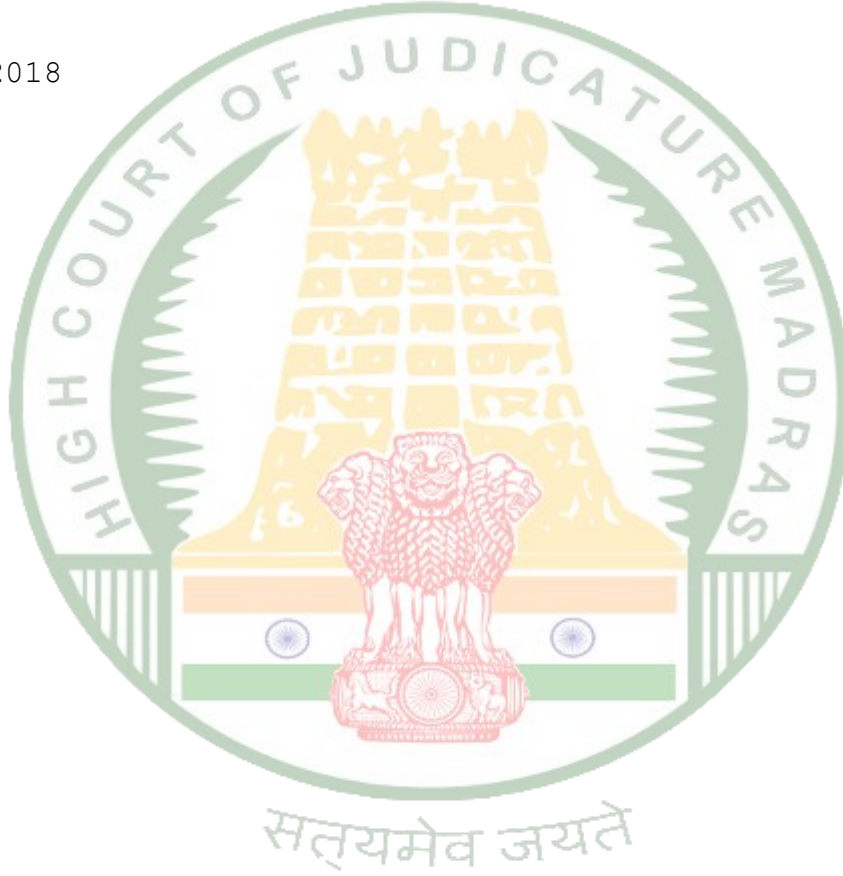
1.The Superintendent Engineer
Tamil Nadu Generation and Distribution
Corporation Ltd.
Tirupur Electricity Distribution Circle
Veerapandi, Tirupur District.

2.The Assistant Executive Engineer (O&M)
Tamil Nadu Generation and Distribution
Corporation Ltd.
Tirupur Electricity Distribution Circle
Veerapandi, Tirupur District.

+1cc to Mr.Mr.S.K.Raameshwar Advocate, S.R.No.30097
+1cc to Mr. Mr.S.S.Swaminathan, Advocate, S.R.No.29600

W.P.No. 24778 of 2014

nrl(co)
nr 17/05/2018



WEB COPY