

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2018

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.27376 of 2011

M.Ramanathan

..Petitioner

Vs.

The Assistant Executive Engineer,
(Operation and Maintenance),
TANGEDCO,
Thiruvavarur.

..Respondent

Petition filed under Article 226 of The Constitution of India praying seeking for issuance of a Certiorari to call for the records pertaining to the impugned order of the respondent passed in Letter NO.AEE/O&M/Town/TVR/F.THEFT/D.NO.170/2011 dated 18.11.2011 and quash the same.

For Petitioner .. Mr.S.Venkatasubramanian

For Respondent .. Mr.P.Gunaraj

ORDER

The petitioner has approached this Court seeking the following relief:

''To issue a Certiorari to call for the records pertaining to the impugned order of the respondent passed in Letter NO.AEE/O&M/Town/TVR/F.THEFT/D.NO.170/2011 dated 18.11.2011 and quash the same.''

2.The petitioner is challenging the provisional assessment notice issued by the respondent dated 18.11.2011, in and by which, the demand was made for Rs.45,890/- in accordance with the Regulations of the Tamilnadu Electricity Supply Code and a working sheet was also enclosed along with the said provisional assessment notice. Having aggrieved by the notice issued, the petitioner is before this Court.

3.The petitioner approached this Court apprehending disconnection of electricity, without consideration of his objection by the authority. At the time when the writ petition

was admitted, the petitioner was directed to pay 50% of the demand and the same was also paid by the petitioner and consequently, the power supply has been restored.

4. When the matter is taken up for hearing, the learned counsel for the respondent would submit that in response to the provisional assessment notice dated 18.11.2011, the petitioner may be directed to file his objections and on his filing such objections, the authority may be directed to dispose of his objection on merits and in accordance with law, within a stipulated time.

5. Considering the limited scope of direction now sought by the learned counsel, this Court pass the following:

"The petitioner is directed to submit his objection in regard to provisional assessment demand within a period of one week from the date of receipt of a copy of this order. On filing of such objection, the respondent is directed to dispose of his objection on merits and in accordance with law, within a period of four weeks thereafter."

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

Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

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To
The Assistant Executive Engineer,
(Operation and Maintenance),
TANGEDCO,
Thiruvavarur.

+1cc to Mr.S.Venkatasubramanian, Advocate Sr.no.4373
+1cc to Mr.P.Gunaraj, Advocate Sr.No.3743

KJI (CO)
sm:8.2.2018

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