

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.24763 of 2018
and
W.M.P.No.28787 of 2018

A.D.Rajendran

..Petitioner

Vs

The Assistant Engineer (O&M),
TANGEDCO, Tamil Nadu Generation and
Electricity Distribution Corporation Limited,
TNEB, Anumandhai, Tindivanam Taluk,
Villupuram District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari, calling for the entire records relating to the impugned order passed by the respondent in his Letter No.AE/O&M/Anumandhai/Ko.III-B/A.No.14-A/18-19, dated 30.04.2018 and quash the same.

For Petitioner : Mr.C.Prakasam
For Respondent : Mr.M.Varunkumar
Standing counsel for TNEB

O R D E R

This writ petition has been filed challenging the order passed by the respondent in Letter No.AE/O&M/Anumandhai/Ko.III-B/A.No.14-A/18-19, dated 30.04.2018.

2. The case of the petitioner is that he is running a prawn culture farm at Anumandhai Village and paying the electricity charges for the said premises regularly without any arrears. While so, the respondent issued a notice dated 30.04.2018, calling upon the petitioner to pay Rs.6,89,857/-, towards arrears of electricity consumption charges, without any basis. Hence, this writ petition.

3. The learned counsel for the petitioner submitted that after a lapse of eight years, the impugned notice came to be issued for payment of arrears of electricity consumption charges for the period from August 2010 to June 2012, which is

arbitrary, unfair and unsustainable in law.

4. The learned Standing counsel appearing for the respondents, on instructions, submitted that if the petitioner submits his objection, if any, the same would be considered by the respondent on merits.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, the petitioner is directed to file his objections along with necessary documents before the respondent, within a period of one week from the date of receipt of a copy of this order. On such filing, the respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as any other necessary parties, within a period of two weeks thereafter.

6. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

ms

To

The Assistant Engineer (O&M),
TANGEDCO, Tamil Nadu Generation and
Electricity Distribution Corporation Limited,
TNEB, Anumandhai, Tindivanam Taluk,
Villupuram District.

+1cc to Mr.M.Varunkumar, Advocate SR.No.65870

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GMV (22/10/2018)