

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2018

CORAM

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.4702 of 2013
and MP.No.1 of 2013

M. Porkodi

... Petitioner

Vs.

1. Tamilnadu Electricity Board,
Represented by its Superintending Engineer (Chairman)
Consumer Grievance Redressal Forum,
Tirupur Electricity Distribution Circle,
Tirupur.
 2. The Assistant Executive Engineer,
Tamilnadu Electricity Board,
Tirupur.
 3. The Assistant Engineer (O&M),
Tamilnadu Electricity Board,
Tirupur.
- ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a WRIT OF CERTIORARI/ MANDAMUS to call for the notice of the 3rd respondent in his proceedings A.E/O&M/Ve.Pa//Ko.M.N.Tho/A.No. 106 dated 10.01.2013 and to quash the same as illegal and direct the 1st respondents to dispose of her Complaint -CGRF 010/12-13 dated 26.12.2012.

For Petitioner : Mr.K.Yuvaraj

For Respondents: Mr.S.K.Raameshwar

ORDER

The relief sought for in this writ petition is to call for the notice issued by the 3rd respondent in proceedings dated 10.01.2013 and to quash the same as illegal and direct the 1st respondent to dispose of the complaint dated 26.12.2012.

2. The grievance of the writ petitioner is that the defective meter has not been corrected and it is the fault of the respondents Board, for which the petitioner cannot be

penalized. It is contended that on account of installation of an erroneous meter, the consumption charges varied and the respondents have issued a notice stating that the petitioner is liable to pay the difference amount. However, the petitioner states that, she was not responsible for installation of such defective meter and therefore, the petitioner cannot be penalized.

3. However it is brought to the notice of this Court that as per regulation / Section 18 of the Tamil Nadu Electricity Supply Code, the aggrieved persons have to approach the Consumer Grievance Redressal Forum for redressing their grievance and the petitioner has already preferred the complaint before the Forum and the same is pending. The said factual position has been stated in the counter statement filed on behalf of respondents and in Paragraph No.7 of the counter affidavit, it is stated that the petitioner has already approached the Consumer Grievance Redressal Forum, Tirupur vide Complaint No.CGRF 010/12-13, dated 26.12.2012.

4. This being the factum of the case, the Consumer Grievance Redressal Forum is directed to consider the case of writ petitioner on merits and based on the Regulation available and decide the same as early as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of with the above observation. No costs. Consequently connected miscellaneous petition is closed.

sk

Sd/-
Assistant Registrar(CS IV)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Superintending Engineer (Chairman)
Tamilnadu Electricity Board,
Consumer Grievance Redressal Rorum,
Tirupur Electricity Distribution Circle,
Tirupur.

2.The Assistant Executive Engineer,
Tamilnadu Electricity Board,
Tirupur.

3.The Assistant Engineer (O&M),
Tamilnadu Electricity Board,
Tirupur.

+lcc to Mr.K.Yuvaraj, Advocate SR.NO.55753
+lcc to Mr.S.K.Raameshuwar, Advocate SR.NO.56142

SSI (CO)
sm:12.9.2018

WP.No.4702 of 2013



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