

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14322 of 2018

P.Srinivasan

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Petitioner

-vs-

1. The Chairman cum Managing Director
Tamil Nadu Electricity Board
10th Floor, NPKRR Maaligai
144, Anna Salai
Chennai 600 002
2. The Superintending Engineer/South-I
Chennai EDC, TANGEDCO (Formerly TNEB)
110-KV SS Complex, Anna Main Road
K.K.Nagar, Chennai 600 078
3. The Assistant Engineer
Tamil Nadu Electricity Board
No.47, Sivan Koil Street
Kodambakkam, Chennai 600 024

4. Mrs.A.Majitha Abdulajim

..

Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to take action on the petitioner's representation (complaint) bearing Petition ID No.406181529541 dated 04.06.2018 seeking for action on the excessive billing with respect to EB Service Connection bearing consumer No.092250141193 and to forbear the respondents from taking any coercive action with respect to EB service connection bearing No.092250141193 till such time the grievance of the petitioner is redressed by the respondent.

For Petitioner :: Mr.P.Vasanth

For Respondents :: Mr.S.K.Rameshuwar
Standing Counsel for R1 to 3

ORDER

The petitioner is residing at Door No.4/99, First Floor, Trustpuram Sixth Cross Street, Kodambakkam, Chennai 600 024 as a tenant enjoying the electricity service connection bearing No.092250141193. According to the petitioner, the average units of electricity consumed by the petitioner would be between 400 and 600 units bi-monthly. While so, all of a sudden, for the bi-monthly period April-May 2018, he has been directed to pay a sum of Rs.15,706/- stating that he had consumed 2610 units. The petitioner's wife, suspecting some fault with the analog meter, has given a representation to the third respondent. The petitioner also has lodged a complaint before the Consumer Grievance Redressal Forum and the said petition also has been numbered in ID-406181529541 on 4.6.2018. Nonetheless, the petitioner has not been informed of the development and has been forced to pay the bill amount of Rs.15,706/- on or before 18.6.2018. As he is hailing from a poor family, he is not able to pay such a huge amount, which is per se wrong.

2. Mr.S.K.Rameshuwar, learned standing counsel for the respondents 1 to 3, drawing the attention of this Court to clause 11(7) of the Tamil Nadu Electricity Supply Code, submitted that in case a consumer does not agree with the assessment made by the engineer or the higher level officer, the matter is to be referred to the next higher level officer of the licensee. Again in case the consumer is still not satisfied, he is at liberty to approach the Consumer Grievance Redressal Forum. Now the petitioner's grievance has been referred by the Superintending Engineer, CEDC/South-I to the Executive Engineer, Operation & Maintenance, K.K.Nagar for appropriate action. Since the matter is pending at the level of Executive Engineer, Operation & Maintenance, K.K.Nagar Distribution Circle, a direction may be issued to consider and pass appropriate orders.

3. In view thereof, the Executive Engineer, Operation & Maintenance, K.K.Nagar is hereby directed to examine the complaint of the petitioner by visiting the petitioner's premises, if necessary, and send his report to the Superintending Engineer, CEDC/South-I, K.K.Nagar within a period of two weeks from today. On receipt of such report, the Superintending Engineer, CEDC/South-I shall consider the same and take a decision within a week thereafter. In the meanwhile, considering the grievance made by the learned counsel for the petitioner that the petitioner is obligated to pay the tuition fees of his children, the petitioner is directed to deposit 25% of the bill amount on or before 18.6.2018, subject to the decision to be taken by the Superintending Engineer, CEDC/South-I based on the report of the Executive Engineer, Operation & Maintenance, K.K.Nagar. If the petitioner is aggrieved by the order of the Superintending Engineer, CEDC/South-I, it is

open to him to prosecute his petition before the Consumer Grievance Redressal Forum. With this direction, the writ petition stands disposed of accordingly. Consequently, W.M.P.No.16916 of 2018 is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman cum Managing Director
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Tamil Nadu Electricity Board
No.47, Sivan Koil Street
Kodambakkam
Chennai 600 024

+1cc to Mr.S.K.Rameshuwar, Advocate sr.no.37262
+1cc to Mr.P.Vasanth, Advocate sr.no.37330

W.P.No.14322 of 2018

nr 14/06/2018

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