

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.01.2019

CORAM

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

W.P.No.22474 of 2006

and

W.M.P.No. 1 of 2006

A.G.Ravi

..Petitioner

vs

1.The Superintending Engineer,
T.N.E.B.,
Kancheepuram Electricity Distribution Circle,
Kancheepuram.

2.The Junior Engineer,
T.N.E.B., (K.E.D.C.)
Athimanjeripet Town,
Pallipet Taluk,
Trivellore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent order dated 21.06.2006 pertaining to the demand for Rs.9,808.16 towards low power factor entered in the petitioner's white meter card L.T.C.T. S.C.No.31, Karlambakkam A.J.Pet/Town, Tiruttani and quash the said demand and to forbear the respondents from making or enforcing any demand for penalty towards low power factor in respect of the petitioner service connection.

For Petitioner : Mr.P.Krishnan

For Respondents : Mr.S.K.Raameshuwar,
Standing Counsel for Electricity Board.

O R D E R

The grievance of the writ petitioner is that the order impugned dated 21.06.2006 raising the demand was passed without even providing any opportunity to the writ petitioner.

2. The learned counsel for the petitioner states that during the relevant point of time, the electric reading meter was

defective and therefore, the authorities had not verified the same and issued the impugned demand notice. In view of the said submissions, this Court is of an opinion that the present case deserves to be remanded. Accordingly, the impugned order passed by the second respondent deserves to be reviewed with reference to the factual disputes now raised by the writ petitioner in the present writ petition.

3. Accordingly, the second respondent is directed to consider the case of the writ petitioner with reference to the grounds raised and pass orders on merits and in accordance with law by affording reasonable opportunity to all the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Superintending Engineer,
T.N.E.B.,
Kancheepuram Electricity Distribution Circle,
Kancheepuram.

2.The Junior Engineer,
T.N.E.B., (K.E.D.C.)
Athimanjeripet Town,
Pallipet Taluk,
Trivellore District.

सत्यमेव जयते

+1cc to Mr.P.Krishnan, Advocate, S.R.No.457

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.272

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W.P.No.22474 of 2006
and
W.M.P.No. 1 of 2006

CP(CO)
GSP(28/01/2019)