

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.02.2019

CORAM:
THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.3246 of 2019 and
WMP.No.3508 of 2019

R.S.Murali

... Petitioner

Vs

1.The Chairman and Managing Director,
Tamil Nadu General & Distribution Corporation Limited,
No.144,Anna Salai,
Chennai-2.

2.The Assistant Executive Engineer
(Operation & Maintenance),
Angalakurichi,
Udumalpet Electricity Distribution Circle,
Coimbatore District.

3.The Assistant Engineer
(Operation & Maintenance),
Anaimalai Town,
Udumalpet Electricity Distribution Circle,
Coimbatore District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records comprised in the proceedings of the 3rd respondent dated 23.11.2018 in Proceedings க.எண்.இ.மி.பொ./ந/ ஆணை/ க. தனி / ஆ.எண் 425/2018 dated 23.11.2018 directing to merge all the existing four service connections into one service connection in the premises bearing Plot No.52, Golden City, Anamalai, Coimbatore District as against the provisions of the Electricity Act, 2003 and quash the same and consequently, direct the 3rd respondent to restore the service connections bearing A/c.Nos.328-010-679, 328-010-710, 328-010-711 and 328-010-714.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.S.K.Raameshuwar,
Standing Counsel

O R D E R

This Writ Petition has been filed, challenging the proceedings of the 3rd respondent dated 23.11.2018, thereby directing to merge all the existing four service connections into one service connection in the premises bearing Plot No.52, Golden City, Anamalai, Coimbatore District as against the provisions of the Electricity Act, 2003, quash the same and for consequential direction, directing the 3rd respondent to restore the service connections bearing A/c.Nos.328-010-679, 328-010-710, 328-010-711 and 328-010-714.

2. Heard the learned Counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

3. On the face of the records, this Court is of the view that the petitioner without exhausting the better alternative statutory remedy provided under Regulation 27 (16) of the Tamil Nadu Electricity Distribution Code has wrongly approached this Court which is given here under :

'27. Requisitions for supply of energy : (1) The provision regarding the duty of licensee as detailed in section 43 (of the Act) to supply electricity on request is reproduced below:

(16) In case of non compliance by the licensee of the provisions as above, the intending consumer can approach the Consumer Grievances Redressal Forum [established under Section 42(5) of the Electricity Act, 2003 (36 of 2003)]

4. In view of the above, the Writ Petition is dismissed as not maintainable with liberty to the petitioner to approach the concerned Consumer Grievances Redressal Forum within a period of two weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Chairman and Managing Director,
Tamil Nadu General & Distribution Corporation Limited,
No.144, Anna Salai,
Chennai-2.

2. The Assistant Executive Engineer
(Operation & Maintenance),
Angalakurichi,
Udumalpet Electricity Distribution
Circle, Coimbatore District.

3. The Assistant Engineer
(Operation & Maintenance),
Anaimalai Town,
Udumalpet Electricity Distribution Circle,
Coimbatore District.

+lcc to Mr.M.Kempuraj, Advocate, S.R.No.11747

+lcc to S.K.Rameshuwar, Advocate, S.R.No.12389

W.P.No.3246 of 2019

NRL (CO)

rrs 11/03/2019



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