

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.26987 of 2005

and

WMP.No.29412 of 2005

P.N.Krishnamoorthy

....Petitioner

-vs-

The Junior Electrical Engineer,  
Operation and Maintenance,  
Tamil Nadu Electricity Board,  
Erode Electricity Distribution Circle,  
Vijayamangalam - 638 056.  
Erode District.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorari, calling for the records pertaining to the order passed by the respondent herein in his proceedings made in L. No. JEE / O&M / Vija / Va.Me / K.Aa / Spl.Audit / No.241 / 2005-2006 dated 22.07.2005, and quash the same.

For Petitioner : M/s.N.Manokaran

For Respondent : Mr.S.K.Raameshwar (SC for EB)

O R D E R

The order impugned states that during the period from 20.05.2001 to 27.01.2003, the electric reading metre was found defective in the premises of the writ petitioner. Thereafter, a new metre was commissioned and in respect of the defective metre, the average usage amount was calculated and the order impugned was passed in proceeding dated 22.07.2005 directing the writ petitioner to pay the arrears of electricity consumption charges of Rs.75,290/-. challenging the said order, the writ petitioner has chosen to file the present writ petition on the ground that the provisions of the Electricity Distribution Code has not been followed and no Inspector was appointed in order to found out the correctness of the electric metre. Thus the impugned order is liable to be scrapped.

2. The learned counsel for the respondent states that the amount was calculated with reference to the usage of the writ petitioner in previous period and admittedly, the metre was found defective during the period 20.05.2001 to 27.01.2003, if at all the writ petitioner is aggrieved, he can go before the Consumer Grievance Redressal Forum constituted under clause 18 of the Electricity Supply Code by producing documents and evidences.

3. This being the factum of the case, the writ petitioner is directed to pay the demanded amount of Rs.75,290/- within a period of four weeks from the date of receipt of a copy of this order and thereafter, the writ petitioner is at liberty to approach the Consumer Grievances Redressal Forum constituted under Clause 18 of the Electricity Supply Code in order to redress his grievances. If the demanded amount has not been paid, the respondents are at liberty to proceed against the writ petitioner in accordance with the law.

4. With these observations, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

Pkn

To

The Junior Electrical Engineer,  
Operation and Maintenance,  
Tamil Nadu Electricity Board,  
Erode Electricity Distribution Circle,  
Vijayamangalam - 638 056.  
Erode District.

+1cc to Mr.N.Manokaran, Advocate, S.R.No. 307

W.P.No.26987 of 2005

SV (CO)  
GN (30/01/2019)