



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2019

CORAM

THE HON'BLE Mr.JUSTICE M.DHANDAPANI, J.

W.P.No.39821 of 2005
W.P.M.P.No.42695 of 2005

Vivekananda Vidya Kala Ashram
rep.by its Trustee
Mr.T.Chakravarthy
having their office at
No.1053, Poonamallee High Road,
Chennai 600 084.

...Petitioner

vs

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai.
2. The Junior Engineer,
Tamil Nadu Electricity Board,
Keelanur, Tiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, quashing the order of the second respondent demanding Rs.54,416/- as electricity charges between the period of 27.04.2005 and 26.09.2005 during which no meter was provided and further directing the respondents to accept the average consumption charges of the petitioners for this period as per present meter reading.

For Petitioner	: Mr.S.A.Rajan
For Respondents	: Mr.S.K.Rameshwar

O R D E R

The petitioner has filed a writ petition for issuance of a writ of certiorarified Mandamus for quashing the order of the second respondent demanding Rs.54,416/- as electricity charges, between the period of 27.04.2005 and 26.09.2005, during which no meter was provided and further to direct the respondents to accept the average consumption charges of the petitioners for this period as per present meter reading.



2. The learned counsel for the petitioner would submit that the matter relates to the defective meter charges, for which the demand notice was issued by the respondents, against which the present writ petition is filed. At that time, the petitioner has filed a petition in W.P.M.P.No.42695 of 2005 before this Court, seeking for restraining the respondents from demanding electricity charges in service connection 304 of Sivanvoyal Village. This Court by its order dated 13.12.2005 in W.P.M.P.No.42695 of 2005, has granted interim injunction on condition that the petitioner shall pay 50% of the amount i.e., Rs.27,208/-, out of Rs.54,416/-, claimed by the respondents within a period of one week. The petitioner has complied with the order and paid 50% of the amount i.e., Rs.27,208/- to the respondents. The learned counsel on instruction would further submit that the petitioner may permit to pay balance amount without BPSC of Penal interest.

3. Considering the above request, this Court is inclined to grant liberty to the petitioner to pay the balance amount within a period of four weeks without BPSC of Penal interest from the date of receipt of a copy of this order.

4. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

ssb
To

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai-2.
2. The Junior Engineer,
Tamil Nadu Electricity Board,
Keelanur, Tiruvallur District.

+1cc to Mr.S.K.Rameshwar, Advocate, S.R.No.56657

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BR(CO)
CS/05/09/2019