

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5568 of 2019
and
W.M.P.Nos.6342 & 6344 of 2019

D.Balaji Ram

...Petitioner

Vs.

The Assistant Engineer O & M,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
Pochampalli T.K.,
Krishnagiri District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records leading to the passing of the impugned order க.எண்.உ.பொ/இ & ப/பொ.ப/கோ.ரெவ/எண்.249/2019 dated 24.01.2019 and quash the same and consequently direct the respondent to restore the electricity service connection in petitioner's name in 181-018-1076 and 259.

For Petitioner : Mr.Panchatsaram.T,

For Respondent : Mr.Varun Kumar, Standing Counsel

O R D E R

This writ petition is filed challenging the order of the respondent dated 24.01.2019, wherein and whereby, the petitioner was called upon to pay a sum of Rs.1,32,350/-, being the penalty amount payable by the petitioner for misusing the service connection.

2. Heard the learned counsel for the petitioner and the learned Standing counsel appearing for the respondent.

3. It is seen that the petitioner was given electricity service connection for agricultural purpose. However, the petitioner seems to have mis-utilised the service connection for commercial purpose for running a Kalyanamandapam. Therefore, the respondent imposed penalty on the petitioner to pay a sum of

Rs.1,32,350/-. It seems that the petitioner has paid the same by way of a cheque dated 06.10.2018. Perusal of the impugned order would show that the said cheque was returned for ''insufficient funds''. Therefore, the present impugned proceedings was issued by the respondent.

4. I find no ground to interfere with the said proceedings for two reasons. Firstly, the petitioner has misused the service connection meant for agricultural purpose. Secondly, he has not honoured the cheque which he has issued to the respondent for paying the penalty. Therefore, the consequential disconnection of the service connection cannot be found fault with. If the petitioner pays the entire arrears before the respondent in cash, it is for the respondent to receive the same and restore the service connection. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vsi

To

The Assistant Engineer O & M,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
Pochampalli T.K.,
Krishnagiri District.

+1 cc to Mr.M.Varun Kumar, Advocate, S.R.No.18385

SR(CO)
SSM(19/03/2019) .

सत्यमेव जयते

W.P.No.5568 of 2019

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