

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.10.2020

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9632 of 2020

WMP No.11761 of 2020

M.Rukmani

.... Petitioner

Vs.

1. The Managing Director / Chairman,  
Tamil Nadu Electricity Generation and  
Distribution Corporation,  
Anna Salai, Chennai 600 002.
2. The Superintending Engineer,  
TANGEDCO, Chennai EDC - South,  
K.K.Nagar, SS Complex, Anna Main Road,  
K.K.Nagar, Chennai 600 078.
3. The Executive Engineer,  
TANGEDCO, O&M Guindy,  
110 KV, KK Nagar,  
SS Complex, Anna Main Road,  
KK Nagar, Chennai 600 078.
4. The Assistant Executive Engineer (O&M),  
Poonamallee - 33/11 KV Poonamallee,  
SS Complex, Avadi Road, Seneerkuppam,  
Chennai 600 056.

....Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari Mandamus to call for the records relating to the impugned order passed by the 5<sup>th</sup> respondent in Na.Ka.No.U.Po.E(Ma) Pa/Kumananchavadi/Ko.S3/A/20-21 dated 14.07.2020 and quash the same and consequently, direct the respondent Nos.1 to 4 to conduct the enquiry upon the petitioner's representation dated 12.07.2020 for the exorbitant claim and for replacing the damaged electric meter for the petitioner's electricity service connection in No.308/004/1855.

For Petitioner  
For Respondents

: Mr.T.Sundaravadanam  
: Mr.Gunaraj,  
Standing Counsel

## ORDER

This Writ petition has been filed challenging the impugned proceedings of the 5<sup>th</sup> respondent dated 14.07.2020, wherein, the petitioner has been directed to pay a sum of Rs.30,787/- towards due.

2. The case of the petitioner is that she was paying the consumption charges regularly and the dispute started in February 2020, wherein a bill was raised to the tune of Rs.18,758/-. The petitioner raised a dispute with regard to the said demand on the ground that there is a problem in the Meter box and the same requires to be tested. While so, the impugned proceedings came to be passed by the 5<sup>th</sup> respondent directing the petitioner to pay a sum of Rs.30,787/-, which was the amount calculated by revisiting the entries from the year 2018 onwards. Aggrieved by the same, the present writ petition has been filed before this Court.

3. The 4<sup>th</sup> respondent has filed a counter affidavit in this case and has justified the levy made by the 5<sup>th</sup> respondent.

4. Heard the learned counsel for the petitioner and Mr.Gunaraj, learned Standing counsel appearing for the respondents.

5. When this writ petition was admitted, this Court directed the petitioner to deposit 50% of the amount demanded by the 5<sup>th</sup> respondent and the same was also complied with by the petitioner. There are basically two disputes that requires consideration. The 1<sup>st</sup> dispute is with regard to the defect in meter as alleged by the petitioner. The 2<sup>nd</sup> dispute is as to whether the 5<sup>th</sup> respondent could have recalculated the dues from the year 2018 onwards, even without putting the petitioner on notice.

6. It is seen from records that the petitioner has made a detailed representation before the 3<sup>rd</sup> respondent. It will therefore be more appropriate to direct the 3<sup>rd</sup> respondent to consider the grievance expressed by the petitioner and pass orders in accordance with law. The 3<sup>rd</sup> respondent will consider both the issues that have been raised by the petitioner and pass an order. The petitioner is directed to make a fresh representation to the 3<sup>rd</sup> respondent along with all the relevant documents and a copy of this order on or before 19.10.2020. The 3<sup>rd</sup> respondent shall pass orders strictly in accordance with law on or before 08.11.2020. The further course of action for the

petitioner will be decided based on the orders passed by the 3<sup>rd</sup> respondent and till then, no coercive steps shall be taken.

7. This writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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Distribution Corporation,  
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