

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 30.09.2020

DELIVERED ON : 07.10.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

Review Application.No.55 of 2020 in
WP.No.8273 of 2020 & WMP.No.12226 of 2020

M.L.Ravi

... Petitioner

Vs.

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai, TN - 600 009.
- 2.The Principal Secretary,
Ministry of Electricity, Tamil Nadu,
Secretariat, Fort St.George,
Chennai, TN - 600 009.
- 3.The Chairman,
Tamil Nadu Electricity Commission,
19-A, Rukmini Lakshmipathy Salai,
Egmore, Chennai, TN - 600 009.

4.The Chairman-cum-Managing Director,
TANGEDCO Limited,
10th floor, NPKRR Maaligai,
144, Anna Salai,
Chennai, TN - 600 009.

... Respondents

Prayer: Review Application filed under Article 226 of the Constitution of India and Order XLVII Rule 1 of Code of Civil Procedure r/w Section 114 of Code of Civil Procedure praying to review the order dated 15.07.2020 in WP.No.8273 of 2020 on the file of the Division Bench of this Court, by allowing this Review Application for a Review of the order dated 15.07.2020 in WP.No.8273 of 2020 *de hors* the findings therein and order *de novo*.

For Petitioner : Mr.Kabilan Manoharan
for Mr.T.Sivagnanasambandan
For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader for
R1 & R2
Mr.M.Dhamodharan for R3 & R4

ORDER

(Order of the Court was delivered by R.HEMALATHA, J.)

This Review Application has been preferred by the applicant to review the order dated 15.07.2020 passed in WP.No.8273 of 2020 by this Court.

2. The applicant has enlisted as many as 15 grounds based on which he has prayed for review of the order. All the grounds are repetition of the same contentions. According to Mr.Kabilan Manoharan, learned counsel for the applicant, the order of this Court suffers from apparent errors on the face of the records resulting in gross miscarriage of justice and it needs to be reviewed. He would further contend that as per the various illustrations furnished by the applicant for different consumers, depending upon the consumed units, it was found that in all the cases the methodology adopted by the fourth respondent caused loss to all the consumers.

3. Briefly, the issue was regarding the reduction of consumed units instead of the last billing amount paid due to the non-reading of the electricity meters for one bi-monthly cycle. The fourth respondent had used a methodology of dividing the total consumed units for two bi-monthly period by two and thereafter reducing the amount paid by individual consumers for the first bi-monthly period. Since there was no reading for the first bi-monthly period, the customers were asked to pay the previous

bill amount. In this methodology, care was also taken to extend the subsidy of 100 units per bi-monthly cycle and then arrive at the bill. Even earlier to this pandemic situation, when a house was locked and the meter became inaccessible for noting down the reading, the consumer was asked to pay the previous bill amount which was to be adjusted in the actual bill after the reading. This was as per Regulation 10 of Tamil Nadu Electricity Supply Code, 2004. The repeated various illustrations already given by the applicant in the main Writ Petition were extensively dealt with in the order passed by this Court. There cannot be any further discussion on this aspect. Therefore, there is no new and acceptable ground based on which the order passed by this Court has to be reviewed especially, when there is no error apparent on the face of the records. We may further note that there is no other grievance expressed by any of the consumers other than the petitioner against the methodology adopted, before us. In this regard, the statement made by the learned counsel appearing for the respondents that substantial number of consumers have already paid the electricity charges, without any demur, also requires to be kept in mind.

4. Accordingly, the Review Application is dismissed. No costs.

Consequently, the connected Miscellaneous Petition is closed.

(MMSJ) (RHJ)
07.10.2020

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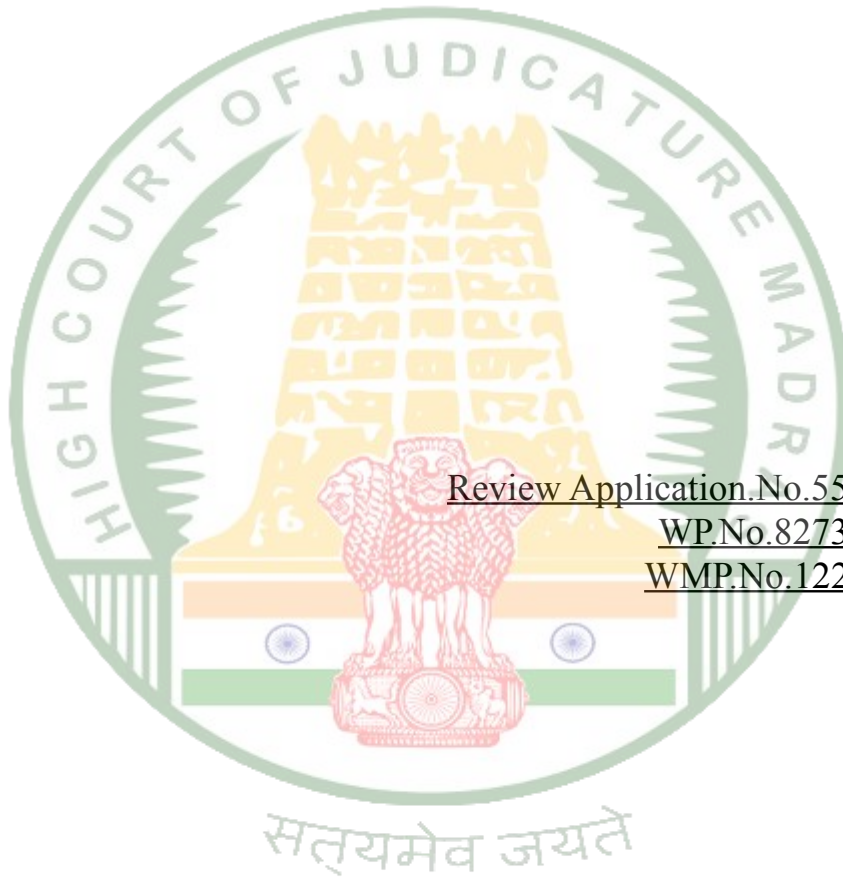
Index: Yes/No
Speaking/Non-Speaking Order

To

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M.M.SUNDRESH, J.
and
R.HEMALATHA, J.

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