



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.295 of 2020

and

W.M.P(MD)No.205 of 2020

WEB COPY

A.Vinoth

... Petitioner

Vs.

1.The Executive Engineer (Operation & Maintenance),
Tamilnadu Power Generation and Distribution Corporation
(TANGEDCO),Aranthangi,
Pudukkottai District.

2.The Assistant Executive Engineer (Operation & Maintenance),
Tamilnadu Power Generation and Distribution Corporation,
(TANGEDCO),Aranthangi,
Pudukkottai District.

3.The Assistant Engineer (Operations and Maintenance),
Tamilnadu Power Generation and Distribution Corporation
(TANGEDCO),Manamelkudi,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to restore the electricity to the petitioner's electricity service connection No.06-137-015-773-TF III B situated at Mudukkuvayal, Kattumavadi, Manamelkudi Taluk, Pudukkottai District till deciding the appeal pending before the second respondent.

For Petitioner : Mr.P.Sujai Krishna

For Respondents: Mrs.S.Srimathy

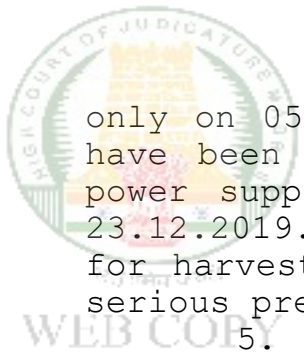
ORDER

Mrs.S.Srimathy, learned standing counsel takes notice for the respondents.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. This writ petition has been filed seeking a direction to the respondents to restore the electricity to the petitioner's electricity service connection No.06-137-015-773-TF III B situated at Mudukkuvayal, Kattumavadi, Manamelkudi Taluk, Pudukkottai District, till deciding the appeal pending before the second respondent.

4. The third respondent vide his communication in Ko.CC Arrear /Aa No.184/19-20 dated 20.11.2019 informed the petitioner that as per the audit conducted on 26.06.2019, there was short levy of Rs.1,67,754/- and demanded payment of the same to avoid disconnection. The reason for such levy is that the meter was defective from December 2015 onwards and the new meter was fixed



only on 05.05.2016. Against the said levy, an appeal is said to have been preferred before the second respondent. While so, the power supply was disconnected to the petitioner's Prawn Farm on 23.12.2019. It is stated by the petitioner that this is the time for harvest and without the power supply, the petitioner is put to serious prejudice and untold hardship.

5. The learned standing counsel, who takes notice on behalf of the respondents has stated that they are ready to restore the service connection on payment of at least a portion of the sum levied.

6. In view of the above, as already an appeal is pending before the second respondent, the petitioner is directed to deposit a sum of Rs.25,000/-(Rupees Twenty Five Thousand Only) before the second respondent at the earliest, without prejudice to his right in the appeal. On payment of which, the electricity supply should be restored to the petitioner's service connection No.06-137-015-773-TF III B situated at Mudukkuvayal, Kattumavadi, Manamelkudi Taluk, Pudukkottai District. The second respondent is also directed to dispose of the appeal within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

To:

- 1.The Executive Engineer (Operation & Maintenance),
Tamilnadu Power Generation and Distribution Corporation
(TANGEDCO),Aranthangi,
Pudukkottai District.
 - 2.The Assistant Executive Engineer (Operation & Maintenance),
Tamilnadu Power Generation and Distribution Corporation,
(TANGEDCO),Aranthangi,
Pudukkottai District.
 - 3.The Assistant Engineer (Operations and Maintenance),
Tamilnadu Power Generation and Distribution Corporation
(TANGEDCO),Manamelkudi,
Pudukkottai District.
- +1 CC to M/s.P.SUJAI KRISHNA, Advocate (SR-710[F]

W.P. (MD)No.295 of 2020

SMA/23/01/2020/2P/5C