



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6205 of 2020

and

W.M.P.(MD)Nos.5412, 5413 & 8783 of 2020

WEB COPY

Nirmala Devi Agarwal

... Petitioner

Vs.

1.The Superintending Engineer,
Ramnad Electricity Distribution Code,
Ramanathapuram Town & District.

2.The Executive Engineer,
Distribution / TANGEDCO,
Paramakudi,
Ramanathapuram District.

3.The Assistant Executive Engineer,
Distribution / TANGEDCO,
Mudukulthur-623 704,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned provisional and final assessment orders of the third respondent issued under his Lr.No.AEE/D/MDKR/D.No.080/20, dated 26.02.2020 and Lr.No.AEE/D/MDKR/F.Doc/D.No.080/20, dated 26.02.2020 in the name of the petitioner- Nirmala Devi Agarwal and quash the said demands.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mrs.S.Srimathy

for Mr.S.M.S.Johny Basha
Standing Counsel

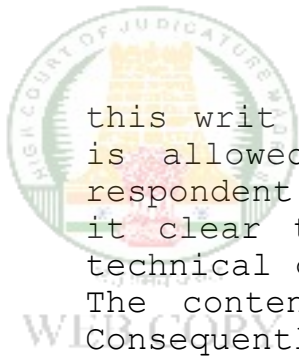
O R D E R

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

2.The petitioner challenges the impugned assessment order dated 26.02.2020.

3.The petitioner's counsel points out that without granting personal hearing, the impugned order came to be passed. He would point out that granting personal hearing is a statutory requirement.

4.Since in this case this basic statutory requirement was not complied with, I have no hesitation to quash the order impugned in



this writ petition. It is accordingly quashed. The Writ Petition is allowed. The matter is remitted to the file of the third respondent to pass orders afresh and in accordance with law. I make it clear that I have interfered with the impugned order only on technical ground and I have not gone into the merits of the matter. The contentions of both the parties are left open. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintending Engineer,
Ramnad Electricity Distribution Code,
Ramanathapuram Town & District.
- 2.The Executive Engineer,
Distribution / TANGEDCO,
Paramakudi,
Ramanathapuram District.
- 3.The Assistant Executive Engineer,
Distribution / TANGEDCO,
Mudukulthur-623 704,
Ramanathapuram District.

+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-16446[F] dated 10/09/2020)

W. P. (MD) No. 6205 of 2020

08.09.2020

KK(18.09.2020) 2P 5C