

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.3501 of 2009

ORDER:

This writ petition is filed seeking the following relief :-

“....to issue a writ, order or direction more particularly in the nature of Mandamus by declaring the action of respondents herein in levying monthly consumptions charges in the C.C. Bills issued for the petitioner's L.T. Service connection bearing No.0041100371 from December,2008 basing on defective meter readings without following the procedure as specified in condition No.7.5 of the General terms and conditions of supply as arbitrary, illegal and violation of Article 14 of the Constitution of India and to pass such consequential orders which are necessary in the interest of justice including the direction for refund of excess amounts collected from the petitioner with interest at 24 %p a.....”.

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

It has been contended by the petitioner that the respondents are levying the monthly consumption charges based on a defective meter and therefore, it has submitted a representation on 16.02.2019 requesting the respondents to rectify the defective meter and also revise the consumption charges. But, so far, the respondents have not passed any orders on the said representation nor rectified its defective meter.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents contended that since the representation of the petitioner is

pending, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 16.02.2019 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 18-02-2020
Prv



