



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 24.11.2021

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.30358 of 2012 & 18819 of 2005 and
M.P.No.1 of 2012 and
WVMP.No.1730 of 2005 & WPMP.No.20368 of 2005

M.Arumugam

.. Petitioner in both WPs

..Vs..

1.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Perundurai - 638 052,
Erode District.

2.The Assistant Engineer/Rural,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Erode Electricity Distribution Circle,
Perundurai -638 052,
Erode District.

.. Respondents in both WPs

PRAYER in WP.No.30358 of 2012: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the proceedings dated 29.10.2012 made in Lr.No.AE/R/Peru./Dn. Sep/A.No.228/12 issued by the 2nd respondent in respect of the penalty amount of Rs.1,22,573/-, quash the same.

PRAYER in WP.No.18819 of 2005: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the proceedings dated 01.06.2005 made in AE/O & M/Rural/Peru/Dn.LT CT SC 860/A81-2005-06 issued by the 2nd respondent in respect of the penalty amount of Rs.2,96,833/-, quash the same.

(In both WPs)

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for TANGEDCO



WEB COPY

COMMON ORDER

The demand notice issued by the 2nd respondent asking the petitioner to pay the penalty amount of Rs.1,22,573/- and Rs.2,96,833/- is under challenge in the present writ petitions.

2.The petitioner is the Managing Partner of M/s.Mahavishnu Rapiers and electricity service. Connection was effected in the name of the petitioner with the capacity of sanctioned demand of 111.77 KWs. The firm is engaged in the business of weaving of cotton fabrics with the help of 16 Auto looms.

3.The impugned order dated 29.10.2010 reveals that the petitioner has consumed 154.08 KV, which was noticed by the authorities. Therefore, the petitioner has consumed the electricity over and above the permitted limit and therefore, the authorities have imposed penalty for such excessive usage of electricity. The penalty is imposed under the regulations and under these circumstances, the petitioner has to approach the Consumer Grievance Redressal Forum under Regulation-18 for the purpose of effective adjudication and to resolve the issues so as to redress his grievances.

4.The petitioner is at liberty to approach the Consumer Grievance Redressal Forum under Regulation-18 of the Tamil Nadu Electricity Supply Code for the purpose of resolving the issues and to redress his grievances.

5.With this liberty, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vs

To

1.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Perundurai - 638 052,
Erode District.



2.The Assistant Engineer/Rural,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Erode Electricity Distribution Circle,
Perundurai -638 052,
Erode District.

+1 cc to Mr.N.Manokaran, Advocate Sr.NO. 60946

W.P.Nos.30358 of 2012 & 18819 of 2005 and
M.P.No.1 of 2012 and
WVMP.No.1730 of 2005 & WPMP.No.20368 of 2005

KG(CO)
A.SK(08.12.2021)