



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34351 of 2012
and
M.P.Nos.2 & 6 of 2012

Mrs.D.Rani

... Petitioner

Vs

1. The Assistant Engineer (O&M),
Pattabiram,
CEDU/West,
TANGEDCO,
Pattabiram,
Chennai - 600 072.

2. The Assistant Engineer (O&M),
Pattabiram,
TNEB/CEDC/West,
Pattabiram,
Chennai - 600 072.

3. Ponnazhagi

...Respondents

(R3-Impleaded as per order dated 21.12.2012 by
VBDJ in M.P.Nos.3 to 2012 in W.P.No.34351 of 2012)

PRAYER: Writ Petition filed Under Article 226 of the
Constitution of India, to issue a writ of Mandamus, to call for
the records on the file of the Respondents in this proceedings
(1) Letter No.Vu.Mi.Po/E&Pa/Pattabiram/Ko-Thani/Pa.No.25/2012,
dated 08.02.2012 by the 2nd respondent and (2) Letter
No.Vu.Mi.Po./E&Pa/Pattabiram/ Ko-
Thani/Pa.No.315/2012, dated 05.10.2012 passed by the first
respondent and quash the same and direct the respondents to
receive the electricity charges for the electricity connection
Nos. 1) 050-118-1414, 2) 050-118-1466, 3) 050-118-1469 & 4) 050-
118-1474 at No.559, SF-406/1A, CTH Road, Pattabiram, Chennai-600
072.

For Petitioner : Mr.Babu
For Mr.V.Anand



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For Respondents : Mr.L.Jaivenkatesh,
For R1 & R2.

R3 - Dismissed vide court
order dated 15.12.2012.

O R D E R

The demand notice asking the petitioner to pay consumption charges is under challenge in the present writ petition.

2. The learned counsel for the petitioner states that the petitioner is a bona fide purchaser and the consumption charges were due even before the purchase of the petitioner and therefore, the petitioner is not liable to pay the consumption charges as per the demand.

3. This Court is of the opinion that if at all the consumption charges are to be paid by the vendor of the writ petitioner or by the writ petitioner, it is between the vendor and the purchaser and as far as the Electricity Board is concerned, the petitioner, who is the owner of the property has to settle the charges and initiate appropriate proceedings for recovery of the said amount from the vendor. However, all these disputes are between the vendor and purchaser.

4. As far as the Electricity Board is concerned, they have issued a demand notice for recovery of Electricity Consumption Charges. If at all the petitioner is having any grievance in respect of calculation or otherwise, it is for the petitioner to approach the Consumer Grievances Redressal Forum constituted under Regulation 18 of the Tamilnadu Electricity Supply Board. Adjudication of such issues requires examination of documents and evidences. Such an elaborate adjudication cannot be undertaken by the High Court in the writ proceedings under Article 226 of Constitution India. The petitioner who is admittedly, the owner of the property is now in possession and therefore, the petitioner has to resolve the issues with reference to the payment of consumption charges and in respect of the vendor to the petitioner. It is for the petitioner to initiate appropriate action against the vendor.

5. This being the facts and circumstances of the case, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum for the purpose of redressing her grievances. In the event of filing any such application by the petitioner, the Forum shall consider the period during which the writ petition was pending before this Court for the purpose of



condoning the delay, if any, an application is filed to that effect and decide the matter on merits in accordance with law and as expeditiously as possible.

6. With these directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kmm

To

1. The Assistant Engineer (O&M),
Pattabiram,
CEDU/West,
TANGEDCO,
Pattabiram,
Chennai - 600 072.
2. The Assistant Engineer (O&M),
Pattabiram,
TNEB/CEDC/West,
Pattabiram,
Chennai - 600 072.

+1cc to Mr.Packianathan, Advocate, S.R.No.65741

W.P.No.34351 of 2012

MG (CO)
SU (07/01/2022)