



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.NO.32065 OF 2016

&

W.M.P.NO.27811 OF 2016

P.Palansisamy

...Petitioner

Vs.

1.Superintending Engineer / Operation
Nallur Palayam
Ganapathy Palayam Post
Palladam, Tiruppur District.

2.The Assistant Executive Engineer
Operation and Maintenance (TANGEDCO)
Bridge Way Colony Tiruppur District,

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari or any other appropriate writ, calling for the records of the impugned order passed by the 1st respondent in Ka.No.Se.Po/E/Palladam/Ko.Me.Mu.04/A.No.130/16 dated 30.07.2016 confirming the order passed by the 2nd respondent in Lr.No.AEE/O&M/BWC/TPR/F.Doc./2014-15 dated 26.12.2015 and quash the same.

For Petitioner : Mr.M.V.Venkataseshan

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

O R D E R

The order dated 30.07.2016 passed by the 1st respondent confirming the order passed by the 2nd respondent in proceedings dated 26.12.2015 is sought to be quashed in the present Writ Petition.

2. The order impugned is relating to the fixation of electricity consumption charges. The dispute arose regarding the manner through which calculations are made by the



Electricity Board and the petitioner raised several allegations in respect of charging for electricity by the respondent.

3. This Court is of the considered opinion that such disputed facts regarding the meter reading and calculations of electricity consumption charges cannot be adjudicated in a Writ Petition under Article 226 of the Constitution of India. Such allegations requires verification of documents, evidences including oral evidences.

4. Therefore, the petitioner has to approach the Consumer Grievance Redressal Committee constituted under Rule 18 of the Tamil Nadu Electricity Supply Code. The committee constituted is competent to go into the merits and demerits of the case with reference to the issues raised between the parties. Even thereafter, the petitioner has an opportunity to approach the Electricity Ombudsman under the Regulations for Consumer and Electricity Ombudsman. When such avenues are very much available under Electricity Supply Code and Regulations, the Writ Court need not to conduct such original adjudication with reference to the disputes raised in the present Writ Petition.

5. It is brought to the notice of this Court that the petitioner died during the pendency of the Writ Petition. Thus, the legal heirs of the petitioners are at liberty to approach the Consumer Grievance Redressal Committee for the purpose of resolving the disputes in the manner known to law. In the event of filing any such appeal before the Committee, the Committee shall consider the application on merits and in accordance with law and dispose of the same as expeditiously as possible.

6. Accordingly, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

kan/shr

To

1.The Superintending Engineer/Operation
Nallur Palayam
Ganapathy Palayam Post
Palladam, Tiruppur District.



2.The Assistant Executive Engineer
Operation and Maintenance (TANGEDCO)
Bridge Way Colony Tiruppur District

+1cc to Mr.M.V.Venkataseshan, Advocate SR.No.58813

W.P.No.32065 of 2016

PCH (CO)
RVM(30/11/2021)