



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.20039 OF 2014

AND

M.P.NO.1 OF 2014

V.Palaniappan

... Petitioner

Vs.

1. The Tamil Nadu Electricity Board
Chennai (West), represented by
The Superintending Engineer
Chennai E.D.C / West,
Thirumangalam S.S.Complex,
Anna Nagar, Chennai - 600 040.
2. Assistant Executive
O & M,
Arumbakkam,
Tamilnadu Electricity Board, CEDC/West,
P-253, MMDA,
Chennai - 600 106.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent in its notice proceedings bearing Ref.Ka.No. VUPO/E.PA/KO pending No.AP/A/458/09 dated 10.02.2014 demanding payment of Rs.1,56,541/- and quash the same and consequently direct the 2nd Respondent to refund the sum of Rs.1,56,541/- (Rupees One Lakh Fifty Six Thousand Five Hundred and Forty one) paid by the Petitioner on 21.05.2014.

For Petitioner : Mr.PL.Narayanan

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



WEB COPY

O R D E R

The Demand Notice dated 10.02.2014, demanding payment of Rs.1,56,551/- (Rupees One Lakh Fifty Six Thousand Five Hundred and Forty one) is under challenge in the present writ petition.

2. The petitioner has been provided with the Electricity Service Connection in his building No.110, Nelson Manikam Street, Aminjikarai, Chennai - 600 029.

3. The respondents issued the Demand Notice to pay the arrears of the consumption charges to the tune of Rs.1,56,551/- (Rupees One Lakh Fifty Six Thousand Five Hundred and Forty one).

4. The learned counsel for the respondents brought to the notice of this Court that the petitioner has already paid the entire amount and now seeks the refund of the said amount.

5. This Court is of the considered opinion that the disputed issues are to adjudicated, even for a refund of the demand amount, which is already paid. High Court cannot conduct an elaborate adjudication of such issues, which is to be adjudicated by the competent Forum based on the documents and evidences available.

6. Thus, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum, constituted under Regulation 18 of the Tamil Nadu Electricity Supply Code and in the event of submitting any such application, the Forum shall condone the delay if any, taking into consideration the period of pendency of the writ petition before the High Court and adjudicate the issues based on the merits and in accordance with law as expeditiously as possible and by affording an opportunity to the petitioner.

7. With these observations, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Jeni/Nti



1. The Tamil Nadu Electricity Board
Chennai (West), represented by
The Superintending Engineer
Chennai E.D.C / West,
Thirumangalam S.S.Complex,
Anna Nagar, Chennai - 600 040.

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.60917

PM (CO)
RLP (06/12/2021)