



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.6967 OF 2014

K.Devi

...Petitioner

Vs

1.The Assistant Account Officer,
Revenue Division,
Tamilnadu Electricity Board,
Kandamangalam,
Villupuram District.

2.The Assistant Electric Engineer,
Tamilnadu Electricity Board,
Valavanur,
Villupuram District.

3.Mr.J.Purshothaman

4.Mr.J.Gobi

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for the entire records connected with the proceedings of the 1st respondent in Lr.No.AAO/ VAB/ Kanda/Ka Ma.3/ Ko.PE.Ma/ A.No.955/2013 dated 18.10.2013, quash the same.

For Petitioner : Mr.K.Thilageswaran

For Respondents : Mr.L.Jai Venkatesh
Standing counsel for TANGEDCO
[For R1 and R2]

M/s.Selvi George
[For R3 & R4]

O R D E R

The order passed by the first respondent in proceedings dated 18.10.2013, cancelling the agricultural electricity service connection granted in favour of the petitioner is under challenge in the present writ petition.



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2. The learned counsel for the petitioner made a submission that the order impugned had been passed without providing an opportunity to the writ petitioner and even on merits, the petitioner has got a good case. However, the facts are disputed by the learned counsel appearing on behalf of the contesting respondents.

3. This Court is of the considered opinion that the disputed facts between the parties, more specifically the petitioner and the respondents 3 to 4 cannot be adjudicated elaborately in a writ proceedings under Article 226 of the Constitution of India. Such an adjudication requires examination of documents and evidences and if necessary, oral evidences. Further, Regulation 18 of the Tamil Nadu Electricity Supply Code provides a redressal mechanism i.e, Consumer Grievances Redressal Forum and the petitioner has to resolve the disputes by approaching the Forum. Thereafter, Electricity Ombudsman is also functioning for the purpose of redressal of the grievances in the manner known to law. In the event of filing any such application, the period during which the writ petition was pending before this Court, is to be taken into consideration for the purpose of condoning the delay, if any application to condone the delay is filed. Rest of the issues are to be adjudicated on merits and in accordance with law as expeditiously as possible.

4. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

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To

1.The Assistant Account Officer,
Revenue Division,
Tamilnadu Electricity Board,
Kandamangalam, Villupuram District.

2.The Assistant Electric Engineer,
Tamilnadu Electricity Board,
Valavanur, Villupuram District.

+1cc to Mr.L.Jaivenkatesh, Advocate SR.No.63627

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NMI (CO)
RVM(13/12/2021)