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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.18674 of 2021 &
W.M.P. No. 19918, 19919 & 19920 of 2021

B. Anand

...Petitioner

-Vs-

The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited
Thanickachalam Nagar,
Ponnammanmedu
Chennai - 600110

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, order or direction of like nature of a Writ, calling for the records on the file of the Respondent relating to the Impugned Demand dated 13.08.2021 to the Consumer No.010750271356 and quash the same and further direct the Respondent to reverse the bill amount as per the actual usage of the electricity by the Petitioner for the period from 13.06.2021 to 13.08.2021.

For Petitioner : Mr.R.Arumugam

For Respondents : Mr. L. Jai Venkatesh
Standing Counsel

O R D E R

On consent given by either side, the main writ petition itself has been taken up for final hearing.

2. This writ petition has been filed challenging the impugned demand made by the respondent dated 13.08.2021 and for a consequential direction to the respondent to reverse the bill



amount as per the actual usage of electricity by the petitioner for the period from 13.06.2021 to 13.08.2021.

3. The case of the petitioner is that upto May 2021, the petitioner was regularly paying the current consumption charges that was demanded by the respondent. Thereafter, due to pandemic situation, the petitioner had locked his house and had gone to his native place and stayed there till August 2021. According to the petitioner, except for the interregnum period for two weeks, he was not even present in the house for the rest of the period. The grievance of the petitioner is that, he received the electricity bill dated 13.08.2021, wherein the petitioner was directed to pay a sum of Rs.29,118/- by showing that the petitioner had consumed nearly 5030 units for the period from 13.06.2021 to 13.08.2021. The petitioner has taken a stand that, this is an exorbitant amount and the petitioner could not have consumed so many units since he was not even present at Chennai during the relevant point of time except for a brief period of two weeks. Aggrieved by the same, the present writ petition has been filed before this Court.

4. Heard Mr.R.Arumugam, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel appearing for the respondent.

5. Learned Standing Counsel appearing on behalf of the respondent submitted that, the meter was taken for inspection and it was found to be defective. In order to support his submission, the learned Standing Counsel relied upon the communication dated 04.09.2021 from the Assistant Engineer to the Assistant Executive Engineer, wherein it has been specifically stated that the M.R.T. Test found the meter to be defective. The learned Standing Counsel submitted that, due to this report, the entire amount that was demanded from the petitioner will be revised and it will be demanded in accordance with the Rules.

6. Taking into consideration the facts and circumstances of the case and recording the submissions of the learned Standing Counsel appearing on behalf of the respondent, the impugned bill that was received from the respondent dated 13.08.2021 is hereby quashed. There shall be a direction to the respondent to revise the bill in accordance with the Rules and issue a fresh demand on the petitioner within a period of two weeks from the date of receipt of a copy of this order.



7. With the above direction, this writ petition is allowed.
No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(CO)
//True Copy//

Sub Assistant Registrar

KST

To

The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited
Thanickachalam Nagar,
Ponniyammanmedu
Chennai - 600110

+1CC to Mr.L.Jaivenkatesh, Advocate, Sr.No.44770
+1CC to Mr.R.Arumugam, Advocate, Sr.No.44701

W.P.No.18674 of 2021

KV (CO)
K.RK. (21.09.2021)