



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.12137 of 2014

and

M.P.Nos.2 and 3 of 2014

Jayanthi Match Industries  
Rep. by its Managing Partner  
D.No.137/A, Chikkamarandahalli Village,  
Maranda Halli (PO)  
Dharmapuri District 636806  
... Petitioner

Vs.

1.The Deputy Chief Internal Audit Officer  
TANGEDCO/ Audit Branch  
Vellore Region, Vellore - 6

2.The Executive Engineer / O & M  
TANGEDCO  
Palacode, Dharmapuri District

3.The Assistant Engineer  
Operation and Maintenance / Village  
Marandahalli  
Dharmapuri District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for records relating to 1<sup>st</sup> respondent's proceeding in Letter No. 00047/Pt 023/F30/F308-I/2014 dated 06.02.2014 and quash the same and direct the respondents to restore Electricity Service Connection of SC No.468 in the premises D.No. 137/A Chikkamaranda Halli Maranda Halli (PO) Dharmapuri District.

For Petitioners : Mr.M.Muthappan

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



## O R D E R

The letter sent by the Deputy Chief Internal Audit Officer to the Executive Engineer Operations and Maintenance TANGEDCO, Palacode, in letter dated 06.02.2014 is under challenge in the present writ petition.

2. Based on the Audit objection, which was raised on the ground of defective meter, consumption charges are determined and a letter was communicated to the Executive Engineer for initiation of appropriate action for recovery of electricity charges.

3. The learned counsel for the petitioner made a submission that the petitioner who is a tenant is in occupation of the premises. The petitioner is paying the electricity consumption charges regularly, while so the authorities raised an objection on the ground that the meter was defective. On that ground, the Audit party raised an objection and a letter was communicated to the Executive Engineer regarding the audit short fall.

4. The learned counsel for the petitioner made a submission that the petitioner who is a tenant is in occupation of premises. The petitioner is paying the electricity consumption charges regularly, while so, the authorities raised an objection on the ground that the electric meter was defective. On that ground, Audit party raised an objection and a letter was communicated to the Executive Engineer regarding the audit short fall. The learned counsel for the petitioner states that no opportunity was given to the petitioner and further, the basis on which the charges are determined is also not known to the petitioner and the calculations are in violation of the Regulations itself.

5. The learned Standing Counsel for the respondent raised an objection by stating that by invoking the Regulation 11 (4) of the Tamil Nadu Electricity Supply Code and based on the fact that the electric meter was defective, charges were determined and communicated to the Executive Engineer in the present case.

6. The learned counsel for the petitioner raised an objection by stating that the charges demanded is exorbitant and over and above the calculation to be made in accordance with the Regulations.

7. However, all such disputed issues are to be adjudicated with reference to the documents and evidences available. High Court cannot conduct an elaborate enquiry in respect of such issues where scrutinization of documents and



evidences are necessary. Mere demand would not provide cause for filing a writ petition as disputed issues involved and an adjudication become imminent.

8.Regulation 18 of the Tamil Nadu Electricity Supply Code contemplates Consumer Grievances Redressal Forum for adjudication of disputes in an effective manner. Thus, the parties are bound to exhaust the remedies provided under the Regulation.

9. In this view of the matter the petitioner is at liberty to approach the Consumer Grievances Redressal Forum under Regulation 18 of the Tamil Nadu Electricity Supply Code for the redressal of its grievances. In the event of filing any such applications before the Forum, 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. All other issues raised between the parties are to be decided on merits and in accordance with law and by affording opportunity as expeditiously as possible.

10. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Jeni/Cse  
To

1.The Deputy Chief Internal Audit Officer,  
TANGEDCO/ Audit Branch,  
Vellore Region, Vellore - 6.

2.The Executive Engineer / O & M,  
TANGEDCO,  
Palacode, Dharmapuri District.

3.The Assistant Engineer,  
Operation and Maintenance / Village  
Marandahalli, Dharmapuri District.

+1 cc to Mr. M.Muthappan, Advocate Sr.NO. 62539(05.01.2022)

W.P.No.12137 of 2014

KV(CO)  
A.SK(14.12.2021)