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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P.Nos. 19495 and 19496 of 2021 and
WMP.Nos. 20788, 20789, 20790 and 20791 of 2021

T.P. Thulasiraman (Age 50 Years)
Son of T V Padmanaban
Proprietor,
M/s.New - Tech Engineering
No.127,128 and 222, Rajeshwari Layout,
Hosur 635 126

..Petitioner in both W.Ps.

Vs.

The Assistant Engineer
Tamil Nadu Electricity Board
Sipcot - 1, Hosur
Krishnagiri District.

..Respondent in both W.Ps.

Prayer in W.P.No.19495: Writ petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus calling for records in consumption demand charges of Rs.1,21,943 made on 08.08.2021 in service connection No.08065015695 on the file of the respondent, received as SMS to the petitioner and quash the same and further direct the respondent to change the meter based on the letter dated 11.08.2021.

Prayer in W.P.No.19496: Writ petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus calling for records in consumption demand charges of Rs.82,645 made on 08.08.2021 in service connection No.08065015696 on the file of the respondent, received as SMS to the petitioner and quash the same and further direct the respondent to change the meter based on the letter dated 11.08.2021.

For Petitioner : Mr.S.C.Vishwanth
in both Petitioners
For Respondent : Mr.M.Abul Kalam
in both Petitioners Standing counsel



O R D E R

The subject matter of challenge in the present writ petitions is the demand charges levied by the respondent for two service connections, which according to the petitioner is exorbitant and was due to the defect in the meter.

2. When the matter was taken up for admission on 15.09.2021, this Court directed the learned Standing Counsel appearing on behalf of the respondent to take instructions and report before this Court. On that day, the learned counsel for the petitioner submitted that the service connections have been disconnected due to non payment of the amount demanded by the respondent.

3. When the matter was taken up for hearing today, the learned standing counsel appearing on behalf of the respondent, based on written instructions from the Assistant Engineer, submitted that a spot inspection was made and it was found that there was no apparent defect in the meters. The learned counsel further submitted that if in spite of the same, the petitioner wants the meter to be tested by the concerned authority, the petitioner has to make the necessary payment and thereafter, the meter will be removed and sent for inspection.

4. The learned counsel for the petitioner submitted that there is a defect in the meter and hence the petitioner wants the meter to be tested and the petitioner is willing to pay the necessary charges towards the same.

5. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the petitioner to deposit 50% of the amount that has been demanded towards both the service connections. The petitioner shall also make a formal requisition to the respondent seeking for testing the electric meter by the Chief Electrical Inspector and shall also pay the necessary charges. Immediately thereafter, the meter shall be removed and shall be sent for testing. Once the petitioner fulfills all the directions given by this Court, the service connection shall be immediately restored. The further payments to be made by the petitioner till the result is obtained from the concerned authority shall be on the basis of the relevant rules.



6. These writ petitions are disposed of with the above directions. No costs. Consequently connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar(CS IV)

Sub Assistant Registrar

RAP/RR

To

1. The Assistant Engineer
Tamil Nadu Electricity Board
Sipcot - 1, Hosur
Krishnagiri District.

+2cc to M/s.S.C.Vishwanth, Advocate, S.R.No.47246, 47245

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.47106

W.P.Nos. 19495 and 19496 of 2021
and

WMP.Nos.20788, 20789, 20790 and 20791 of 2021

SV(CO)
KKV/16/09/2021