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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 14054 of 2014
and
M.P.No.1 of 2014

P.K.Mohammed Jabarullah

...Petitioner

Vs

1. The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
Villupuram.
2. The Junior Engineer (Town-1),
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
Villupuram.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for the records relating to the proceedings of the 2nd respondent dated 03.03.2014 and 15.05.2014 made in letter No.Ka.No.E.Mi.Po/N1/Vim/Ko Thanikkai/Ka.No.60/2014 and to quash the same.

For Petitioner : Mr.D.S.Thirumavalavan

For Respondents : Mr.L.Jai Venkatesh
Senior Counsel for TANGEDCO

O R D E R

The order impugned dated 15.05.2014 reveals that the petitioner is liable to pay the audit objection amount of Rs.1,04,391. The copy of the audit objections was also furnished to the petitioner. In spite of the fact that the details are



furnished, the petitioner has not paid the said amount of Rs.1,04,391 and therefore, the respondent issued the impugned notice.

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2. This Court is of the considered opinion that, such disputed issues relating to audit objections for regarding tariff cannot be adjudicated in a writ proceedings and the issues are to be decided, based on the original documents and evidences to be produced by the respective parties. Clause 18 of Tamil Nadu Electricity Supply Code provides redressal mechanism through Consumer Grievances Redressal Forum and therefore, the petitioner has to approach the Forum for the purpose of redressal of his grievances. After exhausting the remedy before the Forum, the Electricity Ombudsman is also functioning. Thus, exhausting the statutory remedies under the regulations are of paramount importance and the writ Court cannot adjudicate such original issues based on the original documents and under these circumstances, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum within a period of four weeks from the date of the receipt of the copy of this order.

3. In the event of filing any such application, the Forum shall consider the period, during which, the writ petition was pending before the High Court for condoning the delay, if any application is filed to condone any such delay.

4. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
Villupuram.



2. The Junior Engineer (Town-1),
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO),
Villupuram.

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+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.60155

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GPL (CO)
SU (03/12/2021)