



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.15910 OF 2014

AND

M.P.NO.1 OF 2014 AND M.P.NO.1 OF 2015

M/s.Hotel Picnic Plaza,
Rep.by its Partner,
Mr.N.Devendra Gupta,
No.2, R.K.Mutt Road,
Mylapore, Chennai - 600 004.

...Petitioner

Vs

1. The Chairman,
TANGEDCO,
Anna Salai,
Chennai - 600 002.

2. The Superintendent Engineer (Central)
TANGEDCO,
Valluvarkottam High Road,
Nungambakkam,
Chennai - 600 34.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari or appropriate writ or order or direction in the nature of writ in respect of the demand made by the respondents in respect of a claim of Rs.1,55,411/- on account of Board Audit Short Fall, for the period 4/2012 to 03/2013 issued by the officials under the II respondent made in respect of service connection No.128-01-760, standing in the name of N.D.Gupta at No.2 R.K.Mutt Road, Mylapore, Chennai 600 004 and quash the same.

For Petitioner : Mr.R.Vishnu

For Respondents : Mr.L.Jeivenkatesh
Standing counsel
[For TANGEDCO]



O R D E R

The Entries made in the Service Consumption Card in respect of the Electricity Service Connection provided to the petitioner is under challenge in the present writ petition.

2. The grievances of the writ petitioner is that suddenly there was a hype in the Entry on the ground that there was an audit objection. Questioning the said entry in the service consumption card, the present writ petition is filed.

3. This Court is of the considered opinion that whether it is an audit objection or otherwise, require an examination of documents and evidences. Based on the service consumption card entries, High Court cannot adjudicate the issues in a writ proceedings under Article 226 of the Constitution of India. The writ petitioner is entitled to seek further details and informations from the Electricity Board regarding the audit objections or otherwise and even in case, it is not furnished, the petitioner has to approach the Consumer Grievances Redressal Forum for the purpose of adjudication of issues, wherein the petitioner will be getting an opportunity to examine the documents and adjudicate the issues in an effective manner. Contrarily, High Court cannot issue any direction in disputing the issues in the absence of adjudication with reference to the documents and evidences.

4. Thus, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum under Regulation 18 of the Tamil Nadu Electricity Supply Code. Further, the Electricity Ombudsman is also functioning. The petitioner in the event of approaching the Redressal Forum, the period in which the writ petition was pending, is to be taken into consideration for the purpose of condoning the delay, if any petition to condone the delay is filed. All other issues are to be adjudicated on merits and in accordance with law as expeditiously as possible.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
TANGEDCO,
Anna Salai,
Chennai - 600 002.

2. The Superintendent Engineer (Central)
TANGEDCO,
Valluvarkottam High Road,
Nungambakkam,
Chennai - 600 34.

+1cc to Mr.L.Jeivenkatesh, Advocate, S.R.No.62102

W.P.No.15910 of 2014

SSI (CO)
RLP(08/12/2021)