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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.18807 OF 2014

AND

M.P.NOS.2 & 3 OF 2014

M/s.Jaimurugan Textiles Limited,
Rep. by the Managing Director,
Navani village,
Puthuchatram,
Namakkal District.

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Energy Department,
Fort St. George,
Chennai – 600 009.
2. The Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Rep. by Chairman and Managing Director,
144, Anna Salai,
Chennai – 600 002.
3. The Tamil Nadu Transmission Corporation
Limited (TANTRANSCO),
Rep. by its Chairman,
144, Anna Salai,
Chennai – 600 002.
4. The Superintending Engineer,
Namakkal Electricity Distribution Circle,
Namakkal.
5. The Tamil Nadu Electricity Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmani Lakshmipathy Salai,
Egmore, Chennai – 600 008.

... Respondents



PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of certiorarified Mandamus to call for the records of the 4th respondent in Lr No.SE/NEDC/NKL/AEE/MM/AE1/F.Doc/D.101-3/14 dated 05.06.2014 and quash the same as illegal in so far as demand of cross subsidy charges and BPSC on cross subsidy surcharge and consequently direct the 4th respondent to permanent dismantle HT SC 133 service connection of petitioner.

For Petitioner : Mr.S.Rajesh

For Respondent 1 : Ms.N.Senthil Selvi
Government Advocate

For Respondents : Mr.L.Jai Venkatesh
2 to 4 TANGEDCO

For Respondent 5 : No Appearance

O R D E R

The order dated 05.06.2014 issued by the 4th respondent is under challenge in the present Writ Petition.

2. The Writ Petitioner submitted an application to the 4th respondent for dismantling of HT SC No.133. The said application was examined by the authorities and the reply was given through the impugned order date 05.06.2014, stating that the petitioner has to pay the balance amount for considering permanent dismantling of HT Service No.133. The authorities have stated that the amount available by way of security deposit would be adjusted and accordingly the balance amount has to be paid by the petitioner.

3. If at all, any dispute exist in respect of payment of balance amount, the petitioner has to approach the competent authority or approach the Appellate Authority for the purpose of redressal of their grievances. The petitioner has to approach the Consumer Grievances Redressal Forum under Regulation 18 of the Tamil Nadu Electricity Supply Code. If no dispute exist, then the petitioner has to pay the balance amount for permanent dismantling of HT Service.



4. This Court cannot issue any direction for dismantling of HT Service connection, in view of the fact that the petitioner has to pay the balance amount, which is due to the Electricity Board. When the dispute involves adjudication of issues, then the parties are bound to approach the forum for the purpose of resolving the same and the High Court cannot adjudicate such issues in a Writ Petition under Article 226 of the Constitution of India.

5. In view of the facts and circumstances, the petitioner is at liberty to approach the Competent Authority or the Consumer Grievance Redressal Forum for the purpose of redressal of their grievances. With this liberty, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

shr/kan

To

1. The Secretary to Government,
The State of Tamil Nadu,
Energy Department,
Fort St. George,
Chennai - 600 009.
2. The Chairman and Managing Director,
The Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.
3. The Chairman,
The Tamil Nadu Transmission Corporation
Limited (TANTRANSCO),
144, Anna Salai,
Chennai - 600 002.
4. The Superintending Engineer,
Namakkal Electricity Distribution Circle,
Namakkal.



5. The Secretary,
The Tamil Nadu Electricity Regulatory Commission,
19-A, Rukmani Lakshmipathy Salai,
Egmore, Chennai - 600 008.

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+1cc to Mr.S.Sivanandam, Advocate, S.R.No.64256

W.P.NO.18807 OF 2014

CP (CO)
PBS/21/12/2021