



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.30604 OF 2019

AND

W.M.P.NO.30668 OF 2019

S.Selvaraj

...Petitioner

Vs.

1.The Superintending Engineer,
MEDC/ Central Madras.

2.The Executive Engineer.
Egmore,
MEDC, Central,
TNEB, Chennai 17.

3.The Asst. Engineer,
MEDC / Central,
Pulianthope,
Chennai 12.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the third respondent made in Lr.No. / A.E / I and M / P.Tho / Ko.Pa / Ta.No.929 /19 - 20, dated 19.08.2019 and quash the same.

For Petitioner : Mr.B.Divakaran

For Respondents : Mr.L.Jai Venkatesh

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records of the third respondent made in Lr.No. / A.E / I and M / P.Tho / Ko.Pa / Ta.No.929 /19 - 20, dated 19.08.2019 and to quash the same.

2.The case of the petitioner is that the petitioner is running a small scale industry under the name and style of 'Raj Plastic' and he obtained electricity connection for the same for a sanctioned load of 25.B.P. Thereafter he applied for additional load of 50 H.P. and the same was also sanctioned.



During the year 1992, there was some allegations made against the petitioner with regard to tampering of the seals of the meter and a criminal case was also filed against the petitioner in C.C.No.3627 of 1996 before the learned X Metropolitan Magistrate Court, Egmore and the same ended in acquittal.

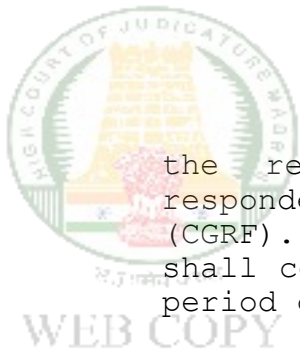
3.The further case of the petitioner is that the respondents shifted the meter to a more secure location and the petitioner was paying the charges regularly without any default, however, the third respondent all of a sudden issued an order dated 20.01.2017 demanding a sum of Rs.2,91,076/- as charges for the period of default working of the meter and also demanded an additional amount of Rs.2,000/- towards inspection charges, totalling a sum of Rs.2,92,076/- and challenging the same, the petitioner filed W.P.No.5620 of 2017 before this Court and this Court vide order dated 07.03.2017 set aside the order impugned therein and granted liberty to the respondents to proceed afresh after issuing show cause notice. Thereafter, the respondent sent a letter dated 24.10.2018 reiterating the same demand and thereafter the petitioner sent reply for the same. Thereafter, the respondents passed the impugned order demanding the very same amount. Challenging the same, the petitioner has filed this writ petition.

4.The learned counsel appearing for the petitioner submitted that there is due of a sum of Rs.50,000/- in favour of the petitioner and further submitted that there is appeal remedy available to the petitioner before the Consumer Grievance Redressal Forum (CGRF). Hence, without going into the merits of the case, this Court may grant liberty to the petitioner to file appeal before CGRF and may issue direction to the CGRF to dispose of the appeal to be filed by the petitioner, within a reasonable time frame.

5.The learned Standing Counsel appearing for the respondents submitted that filing writ petition as against the impugned order is not sustainable one.

6.Admittedly, the respondents have issued the impugned order demanding a sum of Rs.2,91,076/- as charges for the period of default working of the meter and till date the petitioner has not paid the said amount. The petitioner claim that there is due of a sum of Rs.50,000/- in favour of the petitioner.

7.In view of the above and considering the request made by the learned counsel appearing for the petitioner, this Court directs the petitioner to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) before the respondents, within a period of two weeks from the date of receipt of a copy of this order and grants liberty to the petitioner to file appeal, by enclosing



the receipt for payment/ deposit of Rs.50,000/- to the respondents, before the Consumer Grievance Redressal Forum (CGRF). If any such appeal is filed by the petitioner, the CGRF shall consider the same and dispose of the said appeal, within a period of four weeks from the date of receipt of the appeal.

8.This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

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To

1.The Superintending Engineer,
MEDC/ Central Madras.

2.The Executive Engineer.
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MEDC, Central,
TNEB, Chennai 17.

3.The Asst. Engineer,
MEDC / Central,
Pulianthope,
Chennai 12.

+1cc to Mr.L.Jai Venkatesh, Advocate SR.No.68099

+1cc to Mr.B.Divakaran, Advocate SR.No.67712

W.P.No.30604 of 2019
And
W.M.P.No.30668 of 2019

SMI (CO)
RVM(25/01/2022)