



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.29452 of 2017

S.Ramakrishnan

... Petitioner

Vs.

1.The Chairman cum Managing Director,
TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.

2.The Director General of Police,
TANGEDCO Enforcement,
144, Anna Salai,
Chennai - 600 002

3.The Assistant Executive Engineer,
TANGEDCO,
110/22, K.V.S.S.Campus,
Valparai Main Road,
Angalakurichi - 642 007,
Coimbatore District.

4.The Executive Engineer O & M,
TANGEDCO,
110/22, K.V.S.S.Campus,
Valparai Main Road,
Angalakurichi - 642 007,
Coimbatore District.

5.The Assistant Executive Engineer/
Enforcement, TANGEDCO,
P.O.Box No.2959,
Tatabad,
Coimbatore - 641 012.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and second respondents to consider the petitioner's representation dated 21.10.2017 and take necessary



legal action against the respondents 3 to 5 herein and also to return back the amount collected by the respondents 3 to 5 from the petitioner by force and threaten within the time to be fixed by this Court.

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For Petitioner : Mr.N.Rajaram

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This Writ Petition has been filed, praying to issue a Writ of Mandamus, to direct the first and second respondents to consider the petitioner's representation dated 21.10.2017 and take necessary legal action against the respondents 3 to 5 herein and also to return back the amount collected by the respondents 3 to 5 from the petitioner.

2. According to the petitioner, a Farm house known as Cots Villa, owned by one R.Prabhakar, has left abroad and the petitioner was managing the said property. While so, all of a sudden, the officials viz., Respondents 3 to 5 from Tamil Nadu Electricity Board Enforcement Department, inspected the premises and despite the petitioner informed that the owner was not in station, they threatened the petitioner and obtained his signatures and also insisted the petitioner to pay a sum of Rs.32,000/- immediately otherwise the electricity service connection will be disconnected and he will be arrested. In such circumstances, the petitioner was constrained to pay a sum of Rs.32,000/-. Thereafter the petitioner sent a representation dated 21.10.2017 to the respondents 1 and 2 for taking necessary legal action against the respondents 3 to 5 and also to return the amount paid by him. Since no action was forthcoming, the petitioner has come forward with the present writ petition.

3. It appears that the respondents 3 to 5 conducted an inspection in the premises of the petitioner and found that there was illegal tapping of electricity from the power lines and they calculated the electricity consumption and demanded a sum of Rs.32,000/- which was also paid by the petitioner. However, according to the learned counsel for the petitioner, the respondents forcefully collected the amount and also cited the petitioner as a witness even though he is blind and further the owner was not at the spot. Hence, the learned counsel seeks a direction to dispose of the representation made by the petitioner.



4. Without going into the merits of the matter, since the representation made by the petitioner has been pending with the respondents 1 & 2, this Court directs the respondents 1 & 2 to consider the representation of the petitioner dated 21.02.2017 and dispose of the same in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. In the event, if the representation of the petitioner is considered and the amount is to be returned to the petitioner, the respondents may, if so advised, to proceed against the owner of the Villa by initiating appropriate legal Proceedings for the alleged pilferage of the electricity, in accordance with law, in which case the law of limitation will apply.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Pns

To

1.The Chairman cum Managing Director,
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Chennai - 600 002.

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+1cc to Mr.S.Murugan, Advocate SR.No.63396

W.P.No.29452 of 2017

PM(CO)
GN(03/01/2022)