

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.11510 to 11516 of 2009

and

M.P.Nos.1 to 1 & 2 to 2 of 2009

W.P.No.11510 of 2009:

Accel Frontline Limited,
75 Nelson Manickam Road
Aminjikarai, Chennai - 600 029,
India, Represented by its Corporate
Head Administration,
Mr.Srinivasan Rajan

... Petitioner in all WP's

Vs

1. The Assistant Executive Engineer / O&M
Tamil Nadu Electricity Board
Thousand Lights, Chennai - 600 006.

... 1st Respondent

2. The Assistant Eexecutive Engineer/
CEDC Central,
Tamil Nadu Electricity Board,
Thousand Lights, Chennai-600 006.

... 1st Respondent in
WP.Nos.11513 to 11516 of 2009

3. The Chairman
Tamil Nadu Electricity Board
No.144, Anna Salai,
Chennai - 600 002.

... 2nd Respondent in
WP.Nos.11510 to 11514 of 2009

4. Arun Kumar ... 3rd Respondent in WP.No.11510 of 2009

5. Naresh ... 3rd Respondent in WP.Nos.11511,11512 of 2009

6. Chandra Kumar ... 3rd Respondent in WP.No.11513 of 2009

7. Kishore Kumar ... 3rd Respondent in WP.No.11514 of 2009

8. Mukesh ... 3rd Respondent in WP.Nos.11515, 11516 of 2009

PRAYER : Petitions filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus calling for the records relating to the impugned letter dated 15.03.2008 relating to L/T Service Connection A/C No.131-003-364, 374, 362, 368, 363, 361, 372 passed by the first respondent bearing reference no.LR.No.A.E.E./TLS/IA/FRIS rtd officials/D No. 6/08 and quash the same and direct the first respondent to continue to bill the petitioner Company under Tariff III B.

In all Wps

For Petitioners : Mr.Krishna Srinivasan
For S.Ramasubramaniam
& Associates

For Respondents : Mr.L.Jai Venkatesh

COMMON ORDER

The order impugned is about pending short levy intimation issued based on the Audit Report. The order impugned states that TNEB auditors during their Audit Inspection found that current consumption bill amount is to be collected from the consumer. The petitioner raised an objection in respect of the Audit Inspection and the bill raised against them.

2. This Court is of the considered opinion that audit objections are raised based on certain documents during the inspection. Thus, an adjudication is required with reference to such demand made by the respondent TANGEDCO. High Court cannot conduct an elaborate adjudication in respect of such disputed issues. If at all the petitioner raises an objection in respect of the demand made, then the petitioner is bound to approach the competent Appellate Authority or the Consumer Grievances Redressal Forum created under Clause 18 of the Tamil Nadu Electricity Supply Code as the case may be. Contrarily, High Court cannot conduct an elaborate adjudication in respect of such disputed facts and circumstances in a writ proceedings.

3. In view of the facts and circumstances, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum or before the Appellate Authority for redressal of their grievances in the manner known to law. In the event of filing any such appeal or application, the Authority/Forum shall consider the period during which the writ petition was pending before the High Court for the purpose of condoning the delay if

any and decide the issues on merits and in accordance with law as expeditiously as possible.

4. With these observations, these Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Sgl

To

1. The Assistant Executive Engineer / O&M
Tamil Nadu Electricity Board
Thousand Lights, Chennai - 600 006.
2. The Chairman
Tamil Nadu Electricity Board
No.144, Anna Salai,
Chennai - 600 002.
3. The Assistant Executive Engineer/CEDC Central
Tamil Nadu Electricity Board,
Thousand Lights, Chennai - 600 006.

W.P.Nos.11510 to 11516 of 2009

GSM(CO)
CT(11/02/2022)