



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16202 of 2015 &
MP.No.1 and 2 of 2015

M/s.ARS Steels & Alloy
International PVT. LTD.
H.T.Sc.No.1902
D-109 2nd Floor,L.B.R.Complex,
Anna Nagar,East Chennai-102
Rep. by its Deputy Director
N.Prabu

...Petitioner

Vs.

1.The Chairman and Managing Director
(TANGEDCO), 144 Anna Salai,
Chennai-2.

2.Superintending Engineer
Chennai Electricity Distribution
Circle/North,
TANGEDCO, 144 Anna Salai
Chennai-2.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to impugned order in Lr. SE/ CEDC/ N/ AEE/ DEV/ AE/D2/ FHTARS 1902/D 621/15 dated 22.5.2015 and quash the same as illegal arbitrary and untenable under law and against the Regulation of the Supply code Distribution Code 2004 and consequently direct the 2nd respondent to refund Rs.18,93,750/- collected from the petitioner towards BPSC on the amounts payable for granting additional demand to H.T.Sc.No.1902 with the Bank rate of interest as contemplated under Section 62(6) of the Electricity Act 2003.



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For Petitioner : Mr.S.P.Parthasarty for
Mr.K.Seshadri

For Respondents: Mr.Jaivenkatesh

O R D E R

The rejection order with reference to the claim made by the petitioner for refund in proceeding dated 22.05.2015 is under challenged in the present writ petition. The petitioner industry is a continuous process involved in the manufacture of billets with induction melting furnace, having high tension electricity supply in H.T.Sc.No.1902.

2. The claim of the petitioner in the matter of collection of BPSC for outstanding amount and its refund was rejected by the Superintending Engineer. The order impugned and the issues raised require an elaborate adjudication with reference to the documents and evidences. Therefore, the petitioner has to approach the Consumer Grievance Redressal Forum for the purpose of effective adjudication to resolve the disputes. The High Court cannot conduct a rowing enquiry with reference to such disputes, which is to be done by scrutinizing the documents and evidences.

3. Accordingly, the petitioner is at liberty to approach the Consumer Grievance Redressal Forum constituted under Clause 18 of the Tamil Nadu Electricity Supply Code and in the event of submitting any such application, the forum shall consider the period during which the writ petition was pending before this High Court for the purpose condoning the delay, if any, and adjudicate the issue on merits and in accordance with law, as expeditiously as possible. With these observations the writ petition stands disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

shr/ska
To

1.The Chairman and Managing Director,
(TANGEDCO), 144 Anna Salai,
Chennai-2.



2.The Superintending Engineer,
Chennai Electricity Distribution,
Circle/North,
TANGEDCO, 144 Anna Salai,
Chennai-2.

+lcc to Mr.Jaivenkatesh, Advocate Sr.6224
+lcc to Mr.K.Seshadri, Advocate Sr.6715

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srg 15/02/2022