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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19619 of 2015
and M.P.Nos. 1 & 2 of 2015

Sri Kiruthika Textiles,
a firm rep. by its Partnership
M.Arumugam,
S/o. Marappa gounder,
1, Kanakkampalayam Privu,
Kunnathur Road,
Sullipalayam - 638057,
Perundurai Taluk,
Erode District.

...Petitioner

Vs

1. The Executive Engineer,
Operation and Maintenance,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Perundurai,
Erode District.

2. The Assistant Engineer,
Operation and Maintenance,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Perundurai North,
Erode District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the Assessment Bill for the month of June 2015 in respect of penalty amount of Rs.6,61,505/- demanded by the 2nd respondent relating to the petitioners Service Connection No.04-053-001-585, quash the same.

For Petitioner : Mr.N.Manokaran

For Respondents : No Appearance
[For R1 to R2]



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O R D E R

The assessment bill for the month of June 2015, in respect of penalty amount of Rs. 6,61,505/-, demanded by the 2nd respondent is under challenge in the present writ petition.

2. The petitioner is a partnership firm and was provided with the electricity service connection. The writ petition is filed challenging the current consumption charges bill sent by the respondent on 25.06.2015. The petitioner raises various objections in respect of the demand sent by the respondent.

3. However, such disputes cannot be adjudicated in a writ proceedings, as the petitioner has to approach the Appellate Authority or the Consumer Grievance Redressal Forum, as the case may be. Such disputed facts require adjudication based on the documents and evidences made available. Thus, the petitioner for the purpose of redressal of his grievances has to approach the competent authority for effective adjudication of disputes and for redressal of grievances. Accordingly, the petitioner is at liberty to approach the Appellate Authority or the Consumer Grievance Redressal Forum for the purpose of redressal of grievances. In the event of filing any such appeal or otherwise, the period during which the writ petition was pending before this High Court shall be taken into consideration for the purpose of condoning the delay, if any, and the issues have to be adjudicated on merits and in accordance with law.

4. With this liberty the writ petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

shr/ska

To

1. The Executive Engineer,
Operation and Maintenance,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Perundurai,
Erode District.



2. The Assistant Engineer,
Operation and Maintenance,
Tamilnadu Generation and
Distribution Corporation Ltd.,
Perundurai North,
Erode District.

+1cc to Mr.N.Manokaran, Advocate SR. No.3358

W.P.No.19619 of 2015
and M.P.Nos. 1 & 2 of 2015

MT (CO)
PR (10/02/2022)