



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.24731 OF 2015

AND

M.P.NOS.1 & 2 OF 2015

R.Kathirvel

... Petitioner

Vs

1. The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation
and Distribution Corporation Ltd.,
Sankari West, Salem District.

2. The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation
and Distribution Corporation Ltd.,
Pallakapalayam - 637 303,
Namakkal 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 July 2015 in respect of the penalty amount of Rs.2,20,799/- demanded by the 2nd respondent relating to the Service Connection No.152-001-678, quash the same.

For Petitioner : Mr.I.Monish
for Mr.N.Manokaran

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TANGEDCO

O R D E R

The assessment bill for the month of July 2015 in respect of the penalty amount of Rs.2,20,799/- demanded by the second respondent is under challenge in the present writ petition.



2.The petitioner states that he is one of the partners in M/s.Sri Balaji Murugan Textiles, a partnership firm. The firm consists of three partners and engaged in the process of textile fabric. The partnership firm have obtained electricity service connection. The respondents issued a demand for energy charges and imposing penalty.

3.The learned counsel for the petitioner made a submission that the petitioner is not liable to pay any such dues as demanded by the respondents.

4.This Court is of the considered opinion that in the absence of an adjudication of disputed issues, Writ Court cannot form an opinion regarding the liability of the petitioner or otherwise. The petitioner has filed the writ petition challenging the demand and in th event of any objections in respect of such demand, the petitioner has to approach the Appellate Authority or the Consumer Grievances Redressal Forum constituted in Clause 18 of the Tamil Nadu Electricity Supply Code in respect of all such disputes. An elaborate adjudication is required with reference to the documents and evidences. This being the procedures to be followed, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum for redressal of his grievances in the manner known to law. In the event of filing any such application, the Forum shall consider the period during which the writ petition was pending before this Court for the purpose of condoning the delay, if any and decide the disputes on merits and in accordance with law and as expeditiously as possible.

5.With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation
and Distribution Corporation Ltd.,
Sankari West, Salem District.



2. The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation
and Distribution Corporation Ltd.,
Pallakkapalayam - 637 303,
Namakkal District.

+2ccs to M/s.N.Manokaran, Advocate, S.R.Nos.5746, 5363

W.P.No.24731 of 2015

MT (CO)
RLP (14/02/2022)