



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18064 of 2016
and W.M.P.Nos.15850 of 2016

S.Perumal

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai 600002.
2. The Superintending Engineer,
Adm.I, TANGEDGO,
Krishnagiri Electric Distribution Circle,
Krishnagiri.
3. The Executive Engineer,
(O & M), TANGEDCO,
Hosur, Krishnagiri (Dt).
4. The Asst. Executive Engineer/ Distribution
(O&M), TANGEDGO,
Sipcot, Hosur,
Krishnagiri (Dt).

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 10.5.2016 issued by the 4th respondent quash the same and consequently direct the 4th respondent to restore service connection under Service Connection No.066-020-114/IIIB to the petitioners Factory at No.Door No.1/197 Rajeshwari Layout, Sitco 6th Phase, Sipcot Hosur, within a time frame.

For Petitioner : M/s. M.D.Thirunavukkarasu

For Respondents: Mr.C.Jai Venkatesh [R1to R4]
for TANGEDCO.



O R D E R

The demand notice dated 10.05.2016, issued in the matter of theft of energy is under challenge in the present writ petition. The petitioner has been provided with the electricity service connection and during the inspection, the competent authorities found that there was a theft of energy. Accordingly, actions were initiated and consumption charges were determined by following the procedures. The demand notice is issued asking the petitioner to pay the consumption charges. Perusal of the order impugned would reveal that the notice was issued based on the calculations made by following the procedures.

2. If at all, the petitioner is disputing the said assessment, then the petitioner has to approach the appellate authorities for the purpose of adjudication of the disputed facts with reference to the documents and evidences. The High Court cannot conduct an enquiry in respect of such disputed facts and thus, the petitioner is at liberty to approach appellate authorities under Section 127 of the Electricity Act and in the event of filing any such appeal, the competent authorities shall consider the period during which the writ petition was pending before this High Court for the purpose of condoning the delay, if any, and adjudicate the matter on merits and in accordance with law, as expeditiously as possible.

3. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(II)

//True copy//

Sub Assistant Registrar

shr/ska

To

1. The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai 600002.
2. The Superintending Engineer,
Adm.I, TANGEDCO,
Krishnagiri Electric Distribution Circle,
Krishnagiri.



3. The Executive Engineer,
(O & M), TANGEDCO,
Hosur, Krishnagiri (Dt).

4. The Asst. Executive Engineer/ Distribution
(O&M), TANGEDCO,
Sipcot, Hosur,
Krishnagiri (Dt).

+1cc to Mr.M.D.Thirunavukkarasu, Advocate SR.No.6657

+1cc to Mr.L.Jai Venkatesh, Advocate SR.No.7025

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MG(CO)
GMY(16/02/2022)