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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-01-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.19648 of 2016

And

WMP Nos.17009 and 17010 of 2016

J.Bhagya

...Petitioner

vs.

1. Tamil Nadu Electricity Board,
Represented by its Chairman and
Managing Director,
Electricity Avenue,
No.800, Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Tamil Nadu Electricity Board,
Salem Main Road,
Krishnagiri,
Krishnagiri District.
3. The Executive Engineer,
Tamil Nadu Electricity Board,
SIPCOT,
Hosur.
4. The Assistant Engineer,
Tamil Nadu Electricity Board,
SIPCOT,
Hosur.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the concerned records relating to the order No. Ka. Enn. 2Po/ E&Pa/Sipcot-II/Na/Kadani/A012/2016 dated 15.04.2016 passed by the fourth respondent and quash the same.



For Petitioner : Mr.M.D.Thirunavukkarasu
For Respondents-1 to 4 : Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.

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O R D E R

During the inspection, the Authorities of the TANGEDCO found that the meter installed in the premises of the petitioner was defective. Thus, the Electricity Service Consumption Charges were determined and accordingly, a demand notice was issued to the petitioner, which is impugned in the present writ petition.

2. As far as the calculation of electricity consumption charges are concerned, an adjudication is required for the purpose of deciding the issues. Such an adjudication cannot be done in the writ proceedings with reference to the documents and evidences available on record. The High Court cannot form an opinion regarding the basis on which the consumption charges are worked out by the Competent Authorities and such an adjudication needs scrutinisation of documents and evidences. Thus, the petitioner has to approach the Consumer Grievances Redressal Forum constituted under Regulation 18 of the Tamil Nadu Electricity Supply Code. In the event of petitioner approaching the Forum, the period during which the writ petition was pending before the High Court shall be taken into consideration for the purpose of condoning the delay, if any and the issues are to be adjudicated on merits and in accordance with law and as expeditiously as possible.

3. With the abovesaid observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chairman and Managing Director,
Tamil Nadu Electricity Board, Electricity Avenue,
No.800, Anna Salai, Chennai - 600 002.



2. The Superintending Engineer,
Tamil Nadu Electricity Board,
Salem Main Road,
Krishnagiri,
Krishnagiri District.

3. The Executive Engineer,
Tamil Nadu Electricity Board,
SIPCOT,
Hosur.

4. The Assistant Engineer,
Tamil Nadu Electricity Board,
SIPCOT,
Hosur.

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GPL (CO)
PR (11/02/2022)