



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.33181 OF 2012

AND

M.P.NOS.1,2 OF 2012

S.V.Shanmugam

... Petitioner

.Vs.

1. The Executive Engineer,
(Operation and Maintenance),
Mangalam Road,
Avinasi - 641 654.

2. The Assistant Executive Engineer,
TEDC/TANGEDCO,
Anuppar Palayam,
Tiruppur.

... Respondents

PRAYER:-

Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for all the records pertaining to the Provisional Assessment Order for theft of energy under Section 135(1) (e) of the Electricity Act 2003 vide Lr.No.AEE/D/ANP/ TEDC/O&M/ E.PAO D.No.84 /2012 dated 25.10.2012 and quash the same as illegal, arbitrary and unreasonable besides non compliance of the established procedures under the Electricity Act 2003 and directing the respondents to refund the sum of Rs.24 000/- (Rupees twenty four thousand only) collected from the petitioner under Section 152 of the Indian Electricity Act and return the cheque dated 25.10.2012 issued to the respondent for Rs.173940/- being the assessed amount.

For Petitioner : Mr.K.Narasimhan

For Respondents : Mr.L.Jai Venkatesh
1 and 2 For TANGEDCO



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ORDER

The order impugned demanding the consumption charges on account of the allegation of theft of energy, is under challenge in the present writ petition.

2. During the inspection by the competent authorities of the TANGEDCO, theft of energy was detected in SC No 3 Ganga Nagar Distribution and Provisional Assessment order was passed by the authorities, demanding electricity charges.

3. The learned counsel appearing on behalf of the respondent-TANGEDCO made a submission that the compounding charges as well as the consumption charges had already been settled by the petitioner.

4. Under these circumstances, if any grievance exists, the petitioner is at liberty to approach the appellate authority under Section 127 of the Electricity Act, 2003, for redressal of the grievances.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nti/mkn

To

1. The Executive Engineer,
(Operation and Maintenance),
Mangalam Road,
Avinasi - 641 654.
2. The Assistant Executive Engineer,
TEDC/TANGEDCO,
Anuppar Palayam,
Tiruppur.

W.P.NO.33181 OF 2012

PL(CO)
PBS/18/02/2022