



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.5556 OF 2015

AND

M.P.NO.1 OF 2015

Senthil Kumar

...Petitioner

Vs.

1.The Chairman

Tamil Nadu Electricity Board,
144 Anna Salai Chennai-600002.

2.The Assistant Executive Engineer,

Operation and Maintenance,
Tamil Nadu Electricity Board,
Siruvachur-621 113
Perambalur District.

...Respondents

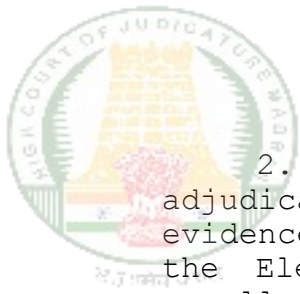
PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent in Lr.No.AEE/ O&M/Town/ PBLR/FDOK/ D.No.085/20, dated 3.12.2014 and quash the same and direct the 2nd respondent to give electricity connection in SC No.431 in the premises of Kattukottai, Periyasamy Nagar Road, Siruvachur, Perambalur District.

For Petitioner : M/s.T.Sivagnanasambandan

For Respondents : Mr.L.Jai Venkatesh [R1 & R2]
TANGEDCO.

O R D E R

The order impugned dated 03.12.2014 is a demand notice to pay the consumption charges with reference to the theft of energy. The petitioner has been provided with the electricity service connection and during an inspection, the competent authorities of the TANGEDCO found that the energy was being stolen. Thus, for theft of energy actions were initiated and the assessment was made regarding the consumption. Thereafter, the impugned demand notice was issued.



2. Regarding the allegation of theft of energy, an adjudication is required with reference to the documents and evidences. An appellate remedy is provided under Section 127 of the Electricity Act and the petitioner has to exhaust the appellate remedy for the purpose of adjudication of the disputed facts involved. Contrarily, the High court cannot adjudicate such disputed facts in a writ proceeding.

3. In this view of the matter, the petitioner is at liberty to approach the competent authority by filing an appeal for the redressal of the grievances. In the event of preferring any such appeal, the appellate authority shall consider the period during which the writ petition was pending before this High Court for the purpose of condoning delay, if any, and decide the issues on merits and in accordance with law, as expeditiously as possible.

4. With these observations, the writ petition stands disposed of. No costs. Consequently the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

shr/ska

To

- 1.The Chairman
Tamil Nadu Electricity Board,
144 Anna Salai Chennai-600002.
- 2.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Board,
Siruvachur-621 113
Perambalur District.

W.P.No.5556 of 2015
and M.P.No.1 of 2015

PL(CO)
RVM(18/02/2022)