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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.01.2022

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17032 of 2020

and

W.M.P.Nos.21117 & 21120 of 2020

S. Jothivel

... Petitioners

Vs

1. The Secretary,
Tamil Nadu Electricity Board,
AnnaSalai, Chennai-2.
2. The Assistant Engineer,
Tamil Nadu Electricity Board,
Tirukoyilur Revenue Branch Division,
Kallakuruchi Circle.
3. The Assistant Engineer,
Operation Maintenance,
Thiyagadurgam Town,
Kallakuruchi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records on of the file the 2nd respondent in connection with the impugned order passed by him in proceedings LR.NO.AE/O&M/T/T/TGM/F.Notice for revision of load/D.No.123 dated 09.09.2020 and quash the same and further direct the respondents to restore the electricity connection of the petitioner Rice Mill in S.C.No.523-021-468 situated at Thirukoilur Main Road, Vadathorasalur, Thiyagadurgam, Kallakurichi District-606 202.

For Petitioner ... Mr. R. Vivekanandan

For Respondents ... Mr. K. Karthikeyan,
Government Advocate

O R D E R

The present petition has been filed seeking the relief of quashment of the impugned order dated 09.09.2020 passed by the 2nd respondent and a direction to the 2nd respondent to restore the electricity connection of the petitioner Rice Mill.



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2. It is the case of the petitioner that due to excess consumption of electricity, the petitioner was served with the impugned demand notice dated 09.09.2020 by the 2nd respondent herein, demanding the amount towards excess electricity consumption. The petitioner made a representation dated 17.09.2020 to the 3rd respondent, requesting to permit him to prefer an appeal with regard to the excess demand. However, the same was not considered. Subsequently, without any prior notice, the electricity service connection to the petitioner's premises was disconnected. Aggrieved by the same, the petitioner has come up with the present petition seeking the relief of quashment of the said impugned notice.

3. Though the present petition has been filed seeking the relief of quashment of the impugned demand notice, learned counsel for the petitioner submits that as per the direction of this Court in W.M.P.No.21120 of 2020, the petitioner has already paid 50% of the total dues to the respondents. Further, the petitioner is ready to pay the balance 50% of the dues to the respondents without BPSC charges and other charges, within the time stipulated by this Court.

4. Learned Government Advocate appearing for the respondents fairly conceded that the petitioner has paid 50% of the total dues and the balance amount is yet to be paid by the petitioner.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. On a perusal of the materials available on record and in view of the aforesaid submissions, this Court, without going into the merits of the case, directs the respondents to collect the balance 50% of the total dues from the petitioner towards excess electricity consumption charges without BPSC and Penal charges, within a period of four weeks from the date of receipt of a copy of this order and close the case against the petitioner and provide the electricity connection to the petitioner's premises, if not already restored and if there is no other impediment.

7. Accordingly, this Writ Petition is disposed of with the aforesaid direction. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

NHS



To

1. The Secretary,
Tamil Nadu Electricity Board,
AnnaSalai, Chennai-2.
2. The Assistant Engineer,
Tamil Nadu Electricity Board,
Tirukoyilur Revenue Branch Division,
Kallakuruchi Circle.
3. The Assistant Engineer,
Operation Maintenance,
Thiyagadurgam Town,
Kallakuruchi District.

+1cc to Mr. R.Vivekanandan, Advocate, S.R.No.4127
+1cc to Mr.L. Jaivenkatesh, Advocate, S.R.No.4950
+1cc to the Government Pleader, S.R.No.4944

W.P.No.17032 of 2020

KG (CO)
CT 11/03/2022