



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-01-2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.6134 of 2016

And

WMP Nos.5473 and 5474 of 2016

DLF Home Developers Ltd.,
having Registered Office at DLF
Centre, Sansad Marg,
New Delhi - 110 017 and
Zonal Office at No.268,
Poonamallee High Road,
Kilpauk, Chennai - 10.
(Petitioner's name substituted vide
order of Court made in WMP No.26757
of 2016 dated 13.03.2018)

..Petitioner

vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Chennai South Electricity Distribution Circle,
Tamil Nadu Electricity Board,
No.1, Anna Main Road,
K.K.Nagar,
Chennai - 600 078.

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the proceedings of the second respondent bearing Lr.No.SE/CEDC/S/DFC/AAO/HT/AS/AS6/F.731/D.831/2015 dated 31.12.2015 and quash the same.

For Petitioner : Mr.Jayesh B.Dolia for
M/s.Aiyar and Dolia

For Respondents: Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.



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O R D E R

The revised demand raised for the defective meter during a particular period in proceedings dated 31.12.2015, is under challenge in the present writ petition.

2.The petitioner-Company is having Electricity Service Connection and received the monthly current consumption invoice from the respondent-Board. They have received the revised billing to the meter for a defective period. The Authorities Competent, while inspecting the premises, found that the meter installed in the petitioner's premises was defective and for the defective period from 27.04.2015 to 02.06.2015 and was issued revised billing as per Tamil Nadu Electricity Supply Code under Clause 11 (2), the impugned bills contain break up details regarding the consumption and the charges levied. In respect of such demand made, the High Court cannot adjudicate the issues with reference to the documents and evidences in original.

3.The Tamil Nadu Electricity Supply Code provides redressal grievance mechanism and as per Clause 18 of the Supply Code, the petitioner has to approach the Consumer Grievances Redressal Forum by following the procedures. Therefore, the petitioner has to approach the Forum Competent for the purpose of effective adjudication of the disputes between the parties. In the event of filing any such application before the Forum, the period during which the writ petition was pending before the High Court is to 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.

4.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(CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
144, Anna Salai,
Chennai - 600 002.



2. The Superintending Engineer,
Chennai South Electricity Distribution Circle,
Tamil Nadu Electricity Board,
No.1, Anna Main Road,
K.K.Nagar,
Chennai - 600 078.

+1cc to Mr.Aiyar and Dolia, Advocate, S.R.No.6107

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.5861

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MT(CO)
RGA(18/02/2022)