



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.23704 of 2014
and
M.P.No.1 of 2014

M.Rajasekar

... Petitioner

Vs.

1. The Tamil Nadu Electricity Board,
Rep. by its Chairman and Managing Director,
Anna Salai, Chennai - 600 002.
2. The Assistant Accounts Officer,
Revenue Branch,
C.E.D.C./ Central, Chennai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned demand in respect of LT Service Connection No.308 - 006 - 1 at Door No.83/2-B, Bye Pass Road, Senneerkuppam, Poonamallee, Chennai - 600 056 dated 15/3 of the 2nd respondent herein and quash the same.

For Petitioner	:	Mr.A.R.Karthik Lakshmanan
For Respondents	:	Mr.L.Jai Venkatesh Standing Counsel (TNEB)

O R D E R

This writ petition has been filed questioning the demand made by the respondents, wherein the petitioner was directed to pay Rs.1,44,661/-.

2. It is the submission of the learned counsel appearing for the petitioner that the petitioner has been making payments regularly on the meter reading taken for service connection provided to him, however, demands have been made without providing opportunity to him. According to the petitioner, the respondents have not explained on what basis they made such demand.



3. The learned counsel appearing for the respondents though supported the order impugned in this writ petition, however, considering the fact that there is no material to show that the petitioner was given opportunity before making demand, the order impugned in this writ petition is set aside and the matter is remitted back to the second respondent for fresh disposal. The second respondent shall pass orders afresh after affording opportunity to the petitioner.

4. It is represented that in compliance of the conditional order passed in this writ petition, the petitioner has paid 10% of the demand amount made by the respondents in the impugned order. The said amount shall be adjusted for the future consumption charges of the petitioner.

5. Accordingly this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

skn

To

1. The Chairman and Managing Director,
The Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
2. The Assistant Accounts Officer,
Revenue Branch,
C.E.D.C./ Central, Chennai.

+1cc to Mr/s.Gandhimathi, Advocate, S.R.No.24599
+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.24246

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NSK 09/05/2022