



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No. 17552 of 2014
and
MP.No.1 of 2014

1.S.Anthonysamy

2.A.Asuntha

...Petitioner

Vs.

1. Executive Engineer,
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Division,
Thaalavadi, Sathyamangalam,
Erode District.

2. Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Division,
Thaalavadi, Sathyamangalam,
Erode 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 relating to the order passed by the 2nd respondent dated 22.01.2014 and quash the same.

For Petitioner : Mr.S.Parthasarathy

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

O R D E R

The petitioner was proceeded for theft of energy and criminal proceedings were initiated. In order to avoid the criminal proceedings, he compounded the offences and paid the penalty amount. Later on, the Electricity Board proceeded towards recovery of consumption charges with tax and interest and demanded a sum of Rs.83,957/-. Challenging the same, the petitioner has preferred the above writ petition.



2.The learned counsel appearing for the respondents would submit that there is an appeal remedy available under Section 127 of the Electricity Act. The learned counsel appearing for the petitioner would submit that an opportunity be given to the petitioner to avail the appeal remedy.

3.Considering the facts and circumstances of this case, the petitioner is granted four weeks time for preferring the appeal. The respondent / Electricity Board is directed to entertain the appeal without insisting on limitation period and dispose of the same as expeditiously as possible. The respondent / Electricity Board shall not disturb the service connection till disposal of the appeal. This writ petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. Executive Engineer,
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Division,
Thaalavadi, Sathyamangalam,
Erode District.
2. Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Division,
Thaalavadi, Sathyamangalam,
Erode District.

+1cc to Mr.S.Partha Sarathy, Advocate, S.R.No.8436

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KG(CO)
SU(03/03/2022)