



WEB COPY



W.P.No.25675 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.25675 of 2017 and
WMP.No.27088 of 2017

K.Kathirvel

... Petitioner

Vs

1.The Superintending Engineer,
The Tamil Nadu Electricity Board,
Udumalaipet.

2.The Executive Engineer (O&M),
The Tamil Nadu Electricity Board,
Pollachi.

3.Assistant Accounts Officer,
Revenue Division,
Pollachi.

4.Ramalingam

5.Angamuthu Gounder
(R5 impleaded as per order dated 10.10.2017 by
this Court in WMP.No.27878 of 2017
in WP.No.25675 of 2017)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of Writ of Certiorari, calling for the records in Letter



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No.UKaA/Vap/Po/KaM.1/Ko.63/ANo.415/15 dated 31.12.2015 on the file of the 3rd respondent.

For Petitioner : Ms.C.Vinu Pradha

For Respondents : Ms.Keerthana Shenoi (for R1 to R3)
for Mr.L.Jai Venkatesh
Standing Counsel

Mr.R.Nandhakumar (for R4)

R5 - Deceased

ORDER

The petitioner challenges an order dated 31.12.2015 passed by Assistant Accounts Officer/R3. The petitioner claims to be the owner of certain properties, that have not been detailed/described in the writ affidavit. In fact, the entirety of the affidavit proceeds as though it were a plaint filed in a civil suit.

2. The sum and substance thereof is to the effect that, in respect of certain properties, to which the petitioner claims title, change of name of Electricity connection was sought, that had been originally granted. Thereafter, it appears to have come to the notice of the authorities that, in the application for name change, the petitioner had not disclosed the position that the property stood in the names of joint owners and that it was not only his father, who had



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been the owner of the property. Hence, the impugned order had come to be passed on 31.12.2015 unilaterally, cancelling the name change that had been granted.

3.The petitioner has come to Court belatedly, only in September 2017 challenging order dated 31.12.2015. That apart, civil suits have been filed qua the petitioner and the fourth respondent and hence, the title to the property constitutes a disputed question of fact, that is best left to the authorities to look into and take a decision.

4. Thus, the impugned order is not disturbed. However, the petitioner is granted liberty to approach the Consumer Grievance Redressal Forum in terms of Regulation 18 of Tamil Nadu Electricity Supply Code, 2004. Regulation 18 provides that all grievances of consumers relating to provisions under Regulation 3 to 17 of the Code may be referred by the consumer to the respective Consumer Grievance Redressal Forum constituted under the Act.

5. The present grievance relates to change of name. It is the specific contention of R4 that the initial change of name of the connection in favour of the petitioner was done without reference to him. In such an event, let the Consumer Grievance Redressal Forum deal with the matter, if and when the



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same is brought to its attention after hearing all necessary parties including R4,
prior to passing orders.

6.This writ petition is disposed in the above terms. No costs. Connected
miscellaneous petition is closed.

14.12.2022

vs

Index : Yes/No

Speaking Order

To

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Dr.ANITA SUMANTH,J.

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