

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.10780 of 2012

M/s.Kurian Abraham Pvt.Ltd.,
Represented by its Managing Director,
25/1-185/3, Industrial Estate,
Konam, Nagercoil-4,
Kanniyakumari District.

... Petitioner

Vs.

1.The Consumer Grievance Redressal Forum,
Represented by Superintending Engineer,
TANGEDCO,
Kanniyakumari Electricity Distribution Circle,
Nagercoil.

2.The Executive Engineer,
Distribution,
TANGEDCO,
Nagercoil.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call the records relating to the proceedings of the first respondent made in Lr.No.SE/KKEDC/AEE/Dve/DM/F.CGRF/D.No.25/12, dated 06.03.2012 and quash the same and consequently direct the first respondent to refund the short fall amount paid by the petitioner company.

For Petitioner : Mr.R.Murali
for Mr.M.Suresh Kumar

For Respondents : Mr.S.Deena Dhayalan
Standing Counsel

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which the appeal filed by the writ petitioner was dismissed merely based upon an audit objection, without considering the grounds raised by the petitioner in his revision petition.

2. A perusal of the impugned order indicates that the short levy order passed by the original authority has been simply confirmed by the first respondent based upon an audit objection, without properly considering the objections and grounds raised in the revision petition.

3. In view of the above said facts, the impugned order is set aside. This matter is remitted back to the file of the first respondent to consider the grounds raised by the writ petitioner in the revision petition and pass a reasoned order without being influenced by the objections raised by the audit wing.

4. With the above said observations, this Writ Petition stands allowed. No costs.

29.07.2022

Index : Yes / No
Internet : Yes / No

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To

1.The Superintending Engineer,
The Consumer Grievance Redressal Forum,
TANGEDCO,
Kanniyakumari Electricity Distribution Circle,
Nagercoil.

2.The Executive Engineer,
Distribution,
TANGEDCO,
Nagercoil.

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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.10780 of 2012

Dated:
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