



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.4347 of 2022

and

W.M.P.[MD]No.3670 & 3672 of 2022

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P.Murugan

... Petitioner

/Vs./

1. The Superintending Engineer,
Distribution TANGEDCO,
Sivagangai District.

2. The Executive Engineer,
Distribution TANGEDCO,
Sivagangai District.

3. The Assistant Engineer,
Distribution TANGEDCO,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records connected to the proceeding in Ka.No.Vu.Mi.Po/Voo/Pa/Siva/Ko.Pugaar/A.No.113/2022 dated 02.03.2022 issued by the respondent No.3 and quash the same and consequently directing the respondents to provide uninterrupted electricity supply to the petitioner's electricity service connections in S.C.No.05-452-005-288, S.C.No.05-452-005-296, S.C.No.05-452-005-068 and S.C.No.05-452-005-040.

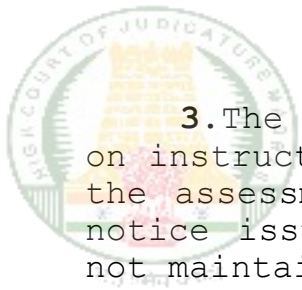
For Petitioner : Mr.S.Malaikani

For Respondents : Mr.S.Deenadhayan
Standing Counsel

ORDER

This writ petition has been filed challenging the impugned demand notice sent by the third respondent calling upon the petitioner to pay a sum of Rs.14,815/- (Rupees Fourteen Thousand and Eight Hundred and Fifteen only) on the ground that the petitioner has committed theft of electricity.

2. Heard Mr.S.Malaikani, learned Counsel for the writ petitioner and Mr.S.Deenadhayan, learned Standing Counsel, who accepts notice on behalf of the respondents.



3.The learned Standing Counsel appearing for the respondents, on instructions, would submit that the petitioner has not challenged the assessment order, but only challenged the consequential demand notice issued by the respondents and hence, this writ petition is not maintainable.

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4.The learned counsel appearing for the petitioner would further submit that earlier, Rs.1,000/- was paid by the petitioner for compounding the criminal offence. According to the learned Standing Counsel appearing for the respondents, it has been paid in respect of the penalty due on account of theft electricity committed by the petitioner and it is different from compounding charges. The same is recorded.

5.After hearing the submissions of the learned standing counsel appearing for the respondents, the learned counsel appearing for the petitioner, on instructions, undertakes to pay the impugned demand, within a period of one (1) week from the date of receipt of a copy of this order. The said statement is recorded.

6.On payment of the impugned demand within a period of one (1) week from the date of receipt of a copy of this order, the third respondent shall restore the electricity service connection to the petitioner immediately thereafter.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (A.D.II)

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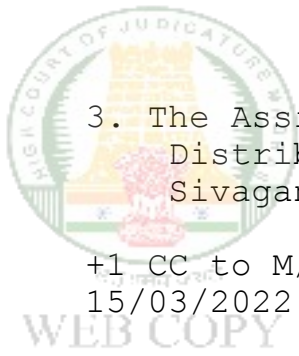
/ /2022

Sub Assistant Registrar(CS)

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TO:

1. The Superintending Engineer,
Distribution TANGEDCO,
Sivagangai District.
2. The Executive Engineer,
Distribution TANGEDCO,
Sivagangai District.



3. The Assistant Engineer,
Distribution TANGEDCO,
Sivagangai District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-12315[F] dated
15/03/2022)

W.P. [MD]No.4347 of 2022

11.03.2022

RD(25.03.2022) 3P 5C