



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6812 of 2022

Guru Packiam

... Petitioner

/Vs./

1. The Superintending Engineer,
TANGEDCO, Virudhunagar,
Virudhunagar District.
2. The Executive Engineer,
TANGEDCO,
Ponnagaram, Rajapalayam,
Virudhunagar District.
3. The Assistant Executive Engineer,
TANGEDCO,
Ponnagaram, Rajapalayam,
Virudhunagar District.
4. The Assistant Engineer,
TANGEDCO,
Thottiyapatti, Rajapalayam,
Virudhunagar District.

... Respondents

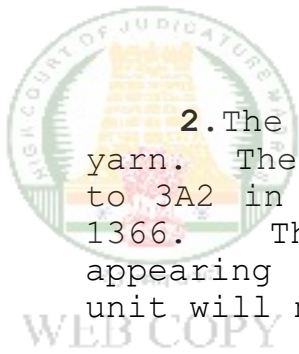
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd and 4th respondents to change the Tariff from 3A1 to 3A2 in respect of Electricity Service Connection No.07.283-001-1366 and consequently direct the respondents to return the excess money paid by the petitioner and his wife from 30.09.2008 on the basis of the petitioner's representation dated 11.01.2022.

For Petitioner
For Respondents

: Mr.S.Muniyandi
: Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third and fourth respondents to change the Tariff plan of the petitioner from 3A1 to 3A2 in respect of Electricity Service Connection No.07.283-001-1366 and consequently direct the respondents to return the excess money paid by the petitioner and his wife from 30.09.2008, based on the petitioner's representation dated 11.01.2022, within a time frame to be fixed by this Court.



2.The petitioner claims that he is running a business of cotton yarn. Therefore, he is entitled for change of Tariff plan from 3A1 to 3A2 in respect of Electricity Service Connection No.07.283-001-1366. The same is disputed by the learned standing counsel appearing for the respondents on the ground that the petitioner's unit will not fall under the purview of 3A2.

3.It is for the respondents to decide as to whether the change of tariff plan as sought for by the petitioner is permissible or not, on merits and in accordance with law, after affording a fair hearing to the petitioner. No prejudice would be caused to the respondents, if the aforesaid exercise is done.

4.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 11.01.2022 seeking change of Tariff plan from 3A1 to 3A2 for his cotton yarn mill in respect of Electricity Service Connection No.07.283-001-1366 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO

1. The Superintending Engineer,
TANGEDCO, Virudhunagar,
Virudhunagar District.
2. The Executive Engineer,
TANGEDCO,
Ponnagaram, Rajapalayam,
Virudhunagar District.
3. The Assistant Executive Engineer,
TANGEDCO,
Ponnagaram, Rajapalayam,
Virudhunagar District.



4. The Assistant Engineer,
TANGEDCO,
Thottiyapatti, Rajapalayam,
Virudhunagar District.

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-18708[F] dated
13/04/2022)

W.P.[MD]No.6812 of 2022
12.04.2022

NSN (CO)
KB (28.04.2022) 3P 6C