



W.P.(MD).No.20042 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20042 of 2014

and

M.P(MD) No.1 of 2014

R.Ravi

... Petitioner

-VS-

1. The Superintending Engineer,
MEDC, METRO,
TANGEDCO,
K.Pudur, Madurai – 625 007.
2. The Assistant Executive Engineer,
TANGEDCO,
Thiruparankundram,
Madurai.
3. The Assistant Engineer,
TANGEDCO,
Thirunagar, Madurai.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to restore the service connection No.144 006 422 Venkateswara I.T.I, GST Road, Thanakankulam, Madurai and continue to provide on payment of



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current consumption charges.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.S.Deenadhalayan
Standing Counsel

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus directing the Electricity Board to restore the Electricity Service Connection.

2. According to the learned Counsel for the petitioner, the petitioner has been regularly paying the monthly electricity charges. However, on the allegations that the meter was defective, the respondent authorities have passed an Assessment Order relating to short levy. The said amount was included in the C.C.Bill of the writ petitioner and on the ground that the C.C.Bill was not paid, disconnection was effected. Thereafter, the present Writ Petition has been filed seeking restoration of the electricity service connection.

3. According to the learned Counsel for the writ petitioner, interim



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order was granted by this Court with a condition that the petitioner shall deposit a sum of Rs.24,000/- (Rupees Twenty Four Thousand only) for restoration of electricity supply. The said interim order has been complied with and the service connection has been restored.

4. The learned Counsel for the petitioner further submits that the Assessment Order, dated 08.12.2014 relating short levy due to defective meter has been passed without any notice to him and suddenly the amount demanded in the said Assessment Order has been incorporated in the C.C.Bills.

5. This Court finds that on 08.12.2014, an order has been passed without any notice or affording any opportunity to the writ petitioner. The said Assessment Order is hereby set aside and the order dated 08.12.2014 shall be treated as a show cause notice to the writ petitioner. The writ petitioner is at liberty to submit an explanation within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the second respondent is directed to pass orders after giving due opportunity to the writ petitioner.



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6. With the above said observation, this Writ Petition stands allowed.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
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To

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R.VIJAYAKUMAR,J.

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