



W.P.(MD)No.26448 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26448 of 2022

S.Vanumamalai

.. Petitioner

Vs.

1.The Superintendent of Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar, Tirunelveli.

2.The Executive Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.

3.The Assistant Engineer, (Distribution),
TANGEDCO, Mela Mada Street,
Nanguneri, Tirunelveli District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to revoke the extra levy charges of Rs.3,945/- and Rs.1,18,474/- imposed to the petitioner's electricity service connection numbers S.C.No.025-015-227 and S.C.No. 025-015-156 respectively by considering the petitioner's representation dated 09.11.2022 within a time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah



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separate domestic electricity connection for the house situated in the agricultural land. He is regularly paying the electricity charges for his domestic connection without fail. The petitioner set up a small asbestos shed with solar energy for his chickens and cow. While so, the third respondent inspected his field and imposed a fine of Rs.1,18,474/- for his agricultural service connection and Rs.3,945/- for his domestic service connection, as if the petitioner is utilizing the domestic service connection illegally for growing chickens. The third respondent also obtained an undertaking affidavit from his relative, who is staying permanently in that house, stating that the remaining amount would be paid on or before 15.11.2020, since the relative of the petitioner has paid a sum of Rs.20,000/- to the third respondent. Therefore, the petitioner made a representation on 09.11.2022 requesting the respondents to revoke the extra charges levied on the petitioner stating that the petitioner is not using the domestic service connection and he is using the solar energy system for his shed. But the same has not been considered by the respondents. Hence, the petitioner has filed the present writ petition.

5.Though larger relief has been sought by the petitioner in this writ petition, the petitioner is now constrained to confine his prayer that it would suffice, if a direction is issued to the respondents to consider the petitioner's representation dated 09.11.2022.



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6.No prejudice would be caused to the respondents, if the representation of the petitioner, dated 09.11.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

7. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation of the petitioner, dated 09.11.2022, on merits and in accordance with law, after affording a fair opportunity of hearing to the petitioner, as well as the rival claimants, if any, within a period of two [2] weeks from the date of receipt of a copy of this order.

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

23.11.2022

Index : Yes/No
Internet : Yes/No
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To

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TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar, Tirunelveli.
- 2.The Executive Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.
- 3.The Assistant Engineer, (Distribution),
TANGEDCO, Mela Mada Street,
Nanguneri, Tirunelveli District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.26448 of 2022

23.11.2022