



W.P.No.7181 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7181 of 2020

And

W.M.P.Nos.8577 and 11884 of 2020

M/s.Sri Murugan Spinning Mills,
Rep. by its Partner
R.N.Palanisamy

... Petitioner

Vs.

- 1.The Chairman,
TANGEDCO,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai – 600 002.
- 2.The Superintending Engineer (O & M),
TANGEDCO,
Palladam Electricity Distribution Circle,
G.T. Building,
Palladam,
Tirupur District.
- 3.The Executive Engineer (O & M),
TANGEDCO,
110/11 KV Palladam Sub Station,
Udumalpet,
Palladam – 641 564
Tirupur District.



W.P.No.7181 of 2020

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4.The Assistant Executive Engineer (O & M),
TANGEDCO,
No.5/163, Chettipalayam Main Road,
Kradivavi,
Palladam 641 664,
Tirupur District.

5.The Assistant Engineer Engineer (O & M),
TANGEDCO,
K.N.Puram, S.G.Palayam Pudur,
K.N.Puram,
Palladam 641 664.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records of the fifth respondent impugned proceedings in Letter No.AEE/O&M/KNPuram/F.LTCT/A.No. 06/ 19-20 dated 21.02.2020 and quash the same.

For Petitioner : Mr.S.Kolandasamy

For Respondents : Mr.L.Jaivenkatesh

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari, to call for the records of the fifth respondent's proceedings in Letter No.AEE/O&M/KNPuram/F.LTCT/A.No.06/19-20



W.P.No.7181 of 2020

dated 21.01.2020 and to quash the same.

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2.The case of the petitioner is that the petitioner is running a small scale spinning mill and the fifth respondent has been coming in person for recording the meter reading from June, 2013 and all of a sudden, the fourth respondent issued letter dated 31.08.2019 directing the petitioner to pay a sum of Rs.25,44,838/- for one phase current missing from December, 2015 and from April, 2016 to July, 2019 and the petitioner objected the same. Thereafter, the fifth respondent issued the impugned order directing the petitioner to pay a sum of Rs.25,03,393/- for one phase current missing from April, 2016 to July, 2019. Challenging the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner filed his grievance petition before the Consumer Grievance Redressal Forum on 04.02.2020 and as soon as he filed his grievance, the respondents disconnected the power supply, however, pursuant to the order of this Court dated 24.08.2020 made in W.P.No.7181 of 2020 and W.M.P.No.8577 of 2020, the electricity service connection was restored. He further submitted that the fifth



W.P.No.7181 of 2020

respondent has been coming in person for recording the meter reading from June, 2013. Hence, the impugned order directing the petitioner

to pay a sum of Rs.25,03,393/- for one phase current missing from April, 2016 to July, 2019 is not sustainable one.

4.Per contra, the learned counsel appearing for the respondents submitted that the petitioner filed his grievance before the Consumer Grievance Redressal Forum and the Consumer Grievance Redressal Forum passed an order as against the petitioner on 19.03.2020 and the order was issued to the petitioner on 21.03.2020 and if at all the petitioner has any grievance, he has to challenge that order by filing statutory appeal before the Tamil Nadu Electricity Ombudsman created under Section 42 of the Electricity Act.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Perusal of records disclose that the petitioner has filed his grievance before the Consumer Grievance Redressal Forum and the



W.P.No.7181 of 2020

Consumer Grievance Redressal Forum has passed an order as against the petitioner on 19.03.2020 and the order was issued to the petitioner on 21.03.2020 and if at all the petitioner has any grievance,

the petitioner has the statutory appeal remedy before the Tamil Nadu Electricity Ombudsman created under Section 42 of the Electricity Act.

7.In view of the above, this Court is not inclined to grant the relief sought for in this writ petition. The writ petition is dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

26.04.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1.The Chairman,
TANGEDCO,

5/6



W.P.No.7181 of 2020

NPKRR Maaligai,
No.144, Anna Salai,
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WEB COPY

2.The Superintending Engineer (O & M),
TANGEDCO,
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G.T. Building,
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M.DHANDAPANI,J.
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WEB COPY



W.P.No.7181 of 2020

11884 of 2020

26.04.2023