



W.P.No.7254 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7254 of 2020  
and  
WMP.Nos.8662 & 8663 of 2020

V.Veeraraghavan @ N.V.Veeraraghavan

...Petitioner

Vs.

1. The Superintending Engineer,  
C.E.D.C.(Central), TANGEDCO Limited,  
No.97, Kodambakkam High Road,  
Nungambakkam, Chennai - 600 034.
2. The Executive Engineer (O & M),  
Egmore Division, TANGEDCO Limited,  
No.47, Malaiappan Street, Otteri,  
Chennai - 600 012.
3. The Assistant Executive Engineer (O & M),  
TANGEDCO Limited,  
No.1, Basin Bridge Road,  
Pulianthope, Chennai.
4. The Assistant Engineer (O & M),  
TANGEDCO Limited,  
No.47, Malaiappan Street, Otteri,  
Chennai - 600 012.





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consideration. Pursuant to the said purchase, the petitioner's wife obtained

11 new connections from the Electricity Board bearing Consumer Nos.151-039-68 to 75 & 151-039-77 to 79 and paid the electricity charges without any default. After the demise of the said N.V.Neela, the petitioner is taking care of the said premises. While so, the petitioner received two letters dated 04.01.2020 from the 4th respondent with regard to the alleged theft of electricity committed by one Radhakrishnan and by one Harikrishnan and one Balachandran in Service Connection Nos.151-039-46/III B & 151-009-46/IV respectively and directed the petitioner to pay a sum of Rs.17,97,628/- , including the damages and penalty. Aggrieved by the said letters, the petitioner sent two separate lawyer notices dated 08.01.2020 to the 4th respondent, pursuant to which, the 4th respondent sent another letter dated 29.01.2020, once again directing the petitioner to pay the aforesaid outstanding amounts. Therefore, the petitioner sent a detailed representation dated 09.03.2020 to the 4th respondent, upon receipt of which, again, the 4th respondent, vide letter dated 09.03.2020, narrated the very same story and directed the petitioner to pay the demand amounts. Further, the 4th respondent refused to receive the payment of current arrears of electricity charges in the petitioner's connections. Hence, challenging the above said



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demand notices dated 04.01.2020, 29.01.2020 & 09.03.2020, the petitioner has come up with this Writ petition.

3. Learned counsel for the petitioner submitted that the alleged theft of electricity was committed by the previous owner/vendor of the petitioner's wife, for which imposing compounding fee/fine and penalty on the petitioner is not sustainable, as the petitioner or his family members cannot be made accountable for the theft of electricity committed by the previous owner and the steps being taken by the electricity officials to recover the same from the petitioner cannot be acceded to and the petitioner cannot be forced to pay the said fine amount. Further the petitioner has received the above said demand notices from the 4th respondent in the year 2020 only, which is after a lapse of about 20 years from the occurrence of the alleged electricity theft. Further, pursuant to the purchase, the petitioner's wife obtained 11 new electricity connections in the year 2006, while so, without making any demand at that relevant point of time, issuing the present impugned demand notices, that too, after a lapse of about 14 years cannot be acceded to. Hence, he prayed for appropriate orders.



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4. On the above said contentions, heard learned counsel for the official respondents and perused the materials available on record.

5. A perusal of the material documents placed on record reveals that, the impugned demand notices dated 04.01.2020, 29.01.2020 & 09.03.2020 passed by the 4th respondent, is only a provisional assessment order and not the final assessment order and the petitioner can very well ventilate / agitate his grievances before the concerned authority.

6. In view of the above facts, this Court, without interfering with the impugned demand notices, directs the respondents 1 to 4 to conduct enquiry and pass appropriate final assessment order within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any. Till such time, the respondents are directed not to take any coercive steps with regard to disconnection of Electricity Service connection of the petitioner's premises.

7. Accordingly, this Writ Petition stands disposed of with the above observations and directions. No costs. Consequently, connected Miscellaneous petitions are closed.



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NCC : Yes / No  
Speaking Order : Yes / No  
Index : Yes / No

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**M.DHANDAPANI., J.**

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