



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.18700 of 2023
in WMP.No.11840 of 2023

R.Indra

... petitioner

-Vs-

1. The Chairman
Tamil Nadu Generation & Distribution
Corporation (TANGEDCO)
NPKRR Maaligai,
144, Anna Salai, Chennai-2.

2. The Chairman,
Consumer Grievance Redressal Forum,
Coimbatore Electricity Distn. Circle/ Metro
Tatabad, Coimbatore-12.

3. The Assistant Engineer,
Coimbatore Electricity Region,
The Tamil Nadu Generation &
Distribution Corporation (TANGEDCO)
Peelamedu, Coimbatore-4.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing the 1st and 3rd respondents not to disconnect the supply of the electricity of the petitioners Electricity connection bearing service No. 028- 002- 94 and not to levy any penalties for non- payment of electricity



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dues until the disposal of the petition No. 023/ 2023 pending on the file of the 2nd respondent and thereby fix a time frame for the speedy disposal of the petitioners Petition No. 023 / 2023 which is pending on the file of the 2nd respondent.

For petitioner : Mr. D.Muthu

For Respondent : Mr.L.Jaivenkatesh, SC

ORDER

This petition has been filed seeking a direction to the 1st and 3rd respondents not to disconnect the supply of the electricity of the petitioners Electricity connection bearing service No. 028- 002- 94 and not to levy any penalties for non- payment of electricity dues until the disposal of the petition No. 023/ 2023 pending on the file of the 2nd respondent and thereby, fix a time frame for the speedy disposal of the petitioners Petition No. 023 / 2023 which is pending on the file of the 2nd respondent.

2. The case of the petitioner that she is the absolute owner of the property in No.27-G, VN Industrial Estate, Bharathi Colony, Peelamedu, Coimbatore bearing service connection No.028-002-94. The petitioner rented out the said premises to M/s.Covai Tech Engineers till 30.04.2019 and the said premises remains vacant from 01.05.2019 to 31.01.2020 and there were no



activities carried on the said premises.

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3. Such being the position, the second respondent has sent a demand letter dated 16.11.2022 stating that the EB matter was repair and due to the display problem, the meter was not running from 07.05.2020 and against directed to pay sum of Rs.9,04,888/- which was calculated based upon the average previous usage within 15 days from the receipt of the above said letter failing which the above amount would be recovered from the normal monthly electricity charges payable. Aggrieved over the same, the petitioner filed a petition on 05.06.2023 before the CGRF which is pending for adjudication.

4. In such circumstances, the third respondent without following the due process of law, has now started levying penalty of Rs.1000/- per day for non payment of the above dues even during pendency of the above petition No.23 of 2023 for adjudication on the file of the third respondent. Without having no other option, the petitioner has filed the present writ petition seeking an appropriate remedy.

5. The learned counsel for the petitioner submitted that this Court may



direct the second respondent to dispose the appeal filed by the petitioner dated 05.06.2023 within the reasonable time as fixed by this Court.

6. Considering the limited request sought for by the petitioner, this Court directs the second respondent to consider the petitioner's appeal and pass orders, after providing opportunity to the petitioner, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

23.06.2023

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To

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3. The Assistant Engineer,
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6



M.DHANDAPANI, J.

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W.P.No.18700 of 2023

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