



W.P.No.18885 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.18885 of 2020  
and WMP.No.23466 of 2020

K.Padmapriya

.. Petitioner

Vs

- 1.The Chief Finance Controller  
Tamil Nadu Electricity Generation and  
Distribution Ltd.,  
7th Floor, NPKRR Maaligai  
No.144, Anna Salai  
Chennai - 600 002.
- 2.The Divisional Engineer  
Tamil Nadu Electricity Generation and  
Distribution Ltd., (North)  
Perambur, No.75, Paper Mills Road  
Chennai - 600 118.
- 3.The Assistant Engineer  
Kodungaiyur O&M / CEDC  
Tamil Nadu Electricity Generation and  
Distribution Ltd., (North)  
Chennai - 600 011.

.. Respondents



W.P.No.18885 of 2020

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to consider the claim for waiver of BPSC in the light of the order dated 06.01.2016 passed in MP.No.15 of 2014 by the Tamil Nadu Electricity Regulatory Commission within a time limit that may be stipulated by this Court.

For Petitioner : Mr.B.K.Girish Neelakantan

For Respondents : Mr.L.Jaivenkatesh  
Standing Counsel for EB

### ORDER

The writ petition is filed for directing the first respondent to consider the petitioner's claim for waiver of Belated Payment Surcharge Charges (BPSC).

2.The learned Standing Counsel appearing for the respondents submits that for non-payment of electricity charges, the petitioner's service connection was discontinued and for restoration of the service connection, he approached the respondents. According to the respondents, in terms of the rules, the petitioner has to pay Belated Payment Surcharge Charges (BPSC), which will be calculated at certain percentage on the defaulted bill amount.



W.P.No.18885 of 2020

3. The petitioner wants exemption from payment of BPSC, for which purpose, he has moved this Court in W.P.No.20781 of 2015. This Court vide its order dated 08.03.2016 directed the respondents to consider his representation for exempting him from paying BPSC. Subsequently, the respondents considered the same and rejected the petitioner's claim for exemption especially because there was no rule for exempting him from payment of said charges. This was communicated to the petitioner vide proceedings dated 18.09.2019. Thereafter, the petitioner has made another representation to the respondent for an identical purpose. It is to consider this representation, the petitioner has moved this Court with this writ petition.

4. Heard both sides. The issue is already covered by the proceedings of the respondent dated 18.09.2019, and that was not challenged. Instead the petitioner renews his request for exemption from paying BPSC yet again. He has not quoted under what provisions of the rules, he is eligible for exemption.

5. In this circumstances, this Court does not consider that any further



W.P.No.18885 of 2020

direction need to be given for the respondents to consider the said representation.

6. The writ petition is dismissed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

05.07.2023

Index : Yes / No  
ds

To:

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W.P.No.18885 of 2020

N.SESHASAYEE.J.,

ds

W.P.No.18885 of 2020

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