



WEB COPY



W.P.No.21624 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.21624 of 2023
and W.M.P.No.20993 of 2023

P.Kumudam

... Petitioner

Vs.

1.Tamil Nadu Generation and Distribution
Corporation Limited
Rep. By its Chairman
144, Anna Salai
Chennai 600 002

2.The Superintending Engineer
TANGEDCO
Villupuram

3.Assistant Engineer (Operations & Maintenance)
TANGEDCO
V. Pamagini, Thiruvakarai
Vanur
Villupuram District

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorari, calling for the records of the 3rd respondent pertaining to the impugned order of the 3rd respondent herein in his proceedings in K.No.Vu.Me.Po/E&Pa/Thiruvakarai/Ko.Kattu/A.No.75/2023 dated 14.03.2023 and quash the same.



W.P.No.21624 of 2023

For Respondents : Mr.V.Venkateseshaiya
TNEB for R1 to R3

WEB COPY

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner's grievance is that earlier a notice dated 20.02.2014 was served on the petitioner directing her to pay Rs.2,38,458/- as electricity charges for the period from January 2013 to June 2013, during which period the petitioner's electric meter is stated to be faulty.

3.This was challenged by the petitioner in W.P.No.7515 of 2014 and this Court vide its order dated 15.09.2022 has directed the authority concerned to give the petitioner an opportunity of being heard.

4.Thereafter, the 3rd respondent has issued another notice dated 14.03.2023, in which a reference is made to the order of this Court in W.P.No.7515 of 2014, but proceeds to inform the petitioner of clubbing the amount indicated in the earlier mentioned notice dated 20.02.2014 along with the current consumption charges and to deposit the same. This notice was issued in March 2023 and we are here in July, 2023, who is responsible for the delay?

5.Learned counsel for the petitioner submits that the 3rd respondent has done



W.P.No.21624 of 2023

precisely that which this Court did not approve in W.P.No.7515 of 2014.

WEB COPY

6.Mr.V.Venkataseshaiya, the learned standing counsel has taken notice for the respondents 1 to 3, TNEB.

7.Heard both sides.

8.Learned counsel for the petitioner submitted that despite this Court directing the 3rd respondent to hear the petitioner on the claim made, it was not done and the entire amount was clubbed to the current consumption charges and after filing this writ petition, the authorities have even disconnected the power supply on 17.07.2023.

9.That the 3rd respondent has not applied his mind to the situation is evident from two facts:

a) he has not complied with the direction of this Court given by order in W.P.No.7515 of 2014;

b) that he had not even given adjustment to 25% of the demand made vide notice dated 20.02.2014.

10. This Court is not a tennis court for both the side to volley the allegation, but it is keen to find a solution to the problem. Primarily it was triggered by the lack of care on the part of the 3rd respondent. Therefore, this Court is



W.P.No.21624 of 2023

constrained to set aside the demand and direct the petitioner to make another 25% of Rs.2,38,458/- and also the current consumption charges and plus any other charges because they completely ask for disconnection and any other charges that are legally required to be paid, whereupon the respondents are required to provide electricity connection to the petitioner to proceed with her business. So far as the claim under Bill dated 20.02.2014 is concerned, the petitioner claims that she has already given a response vide her letter dated 05.03.2014. The 3rd respondent is now required to apply his mind to the same and if he is not going to be agreeable, the petitioner is required to approach the consumer grievances redressal forum constituted within the framework of electricity act.

11.The writ petition stands disposed of accordingly. As and when the petitioner moves for restoration of electricity connection along with requisite payment as directed herein, the authority concerned shall attend to that forthwith, at any rate not beyond two (2) weeks from then. No costs. Consequently, the connected miscellaneous petition is closed.

21.07.2023

kas

Index : Yes / No

Neutral citation : yes/no



W.P.No.21624 of 2025

1. Tamil Nadu Generation and Distribution
Corporation Limited
Rep. By its Chairman
144, Anna Salai
Chennai 600 002

2. The Superintending Engineer
TANGEDCO
Villupuram

3. Assistant Engineer (Operations & Maintenance)
TANGEDCO
V. Pamagini, Thiruvakarai
Vanur
Villupuram District



WEB COPY



W.P.No.21624 of 2023

kas

W.P.No.21624 of 2023
and W.M.P.No.20993 of 2023

21.07.2023