



WEB COPY



W.P.No.26060 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.26060 of 2023
and W.M.P.Nos.25480 and 25481 of 2023

M/s.MK Tron Auto Parts Pvt. Ltd.
(formerly known as M/s.Castwel Auto Parts Pvt. Ltd)
Rep. by its Company Secretary
Nambiraja Sudalai

... Petitioner

-Vs-

1.Tamil Nadu Electricity Board
Rep. by its Chairman
Anna Salai, Chennai

2.The Superintending Engineer
Chennai Electricity Distribution Circle South
No.110, K.V.S.S. Complex
Anna Main Road, K.K.Nagar
Chennai 600 078

3.The Executive Engineer
Operation and Maintenance
Chennai Electricity Distribution Circle South
Porur, Chennai

4.The Assistant Executive Engineer
Operation and Maintenance
Chennai Electricity Distribution Circle South
Thirumudivakkam

... Respondents



W.P.No.26060 of 2023

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the proceedings in Lr.No.SE/CEDC/SI/DFC/AAO/AS/HT/F.HT872/D.No.88 /23 dated 04.05.2023 issued by the 2nd respondent and quash the same.

For Petitioner : Mr.R.Subramanian

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

ORDER

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

2.The petitioner was slapped with a demand for payment of about Rs.58.09 lakhs based on average billing for defecting meter period between 22.08.2012 and 11.01.2013. It was challenged by the petitioner before this Court in W.P.No.20279 of 2014, and pursuant to the direction of this Court, the petitioner deposited 25% of the claim under protest. Later he also paid the balance 75% again under protest pursuant to the direction of the Court. That writ petition was disposed with a direction to the petitioner to approach the Consumer Grievance Redressal Forum.



W.P.No.26060 of 2023

3.The petitioner is now slapped with a notice for payment of surcharge on belated payment of the amount stated above.

4.Mr.L.Jaivenkatesh, the learned standing counsel takes notice for TANGEDCO.

5.Learned counsel submitted that dispute regarding payment of surcharge on belated payments also falls within the domain of Consumer Grievance Redressal Forum. She added that the enquiry before the Consumer Grievance Redressal Forum is posted today and that the petitioner is delaying the course of enquiry by the Consumer Grievance Redressal Forum.

6.Recording the statement of the learned counsel for the respondents, this Court now directs the petitioner to agitate the issue regarding the surcharge now slapped on the petitioner for the alleged belated payment of the aforesaid original claim also before the Consumer Grievance Redressal Forum, and he is also required to participate in the proceeding without



W.P.No.26060 of 2023

WEB COPY

default. Till the Consumer Grievance Redressal Forum takes a call, TANGEDCO is required not to precipitate the issue.

7.The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

07.09.2023

Index : Yes/No
Neutral Citation

kas

To

1.The Chairman
Tamil Nadu Electricity Board
Anna Salai, Chennai

2.The Superintending Engineer
Chennai Electricity Distribution Circle South
No.110, K.V.S.S. Complex
Anna Main Road, K.K.Nagar
Chennai 600 078

3.The Executive Engineer
Operation and Maintenance
Chennai Electricity Distribution Circle South
Porur, Chennai

4.The Assistant Executive Engineer
Operation and Maintenance



W.P.No.26060 of 2023

Chennai Electricity Distribution Circle South
Thirumudivakkam

N.SESHASAYEE, J.

kas

WP.No.26060 of 2023
and W.M.P.Nos.25480 and 25481 of 2023

07.09.2023



WEB COPY



W.P.No.26060 of 2023