



W.P(MD)No.972 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.972 of 2023

and

W.M.P(MD)No.914 of 2023

R.Shankarkumar

... Petitioner

Vs

1.The Assistant Engineer,
TANGEDCO,
Ettayapuram,
Thoothukudi District.

2.The Assistant Divisional Engineer,
TANGEDCO,
Kovilpatti,
Thoothukudi District.

3.The Executive Engineer,
TANGEDCO,
Kovilpatti,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to disconnect the service connection in SC No. 07-302-003-702 on the basis of petitioner request dated 07.10.2022, not to insist the petitioner pay further payment and consequently direct the first respondent to refund the deposit



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amount paid by the petitioner's father towards EB Service Connection SC No. 07-302-003-702.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.S.Dheenadhayalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2.The petitioner's father S.P.Ramakrishnan was running an establishment in the name and style of "Prabhar Match Factory". The petition mentioned electricity service connection stood in his name. S.P.Ramakrishnan passed away in November 2021. The petitioner is his son and he was not able to run the factory. He therefore submitted a written request to the second respondent on 07.10.2022 for disconnection of the service permanently. This obviously means that the petitioner wanted to close the account. The request was sent through registered post with acknowledgment due. For reasons that are not quite clear, the second respondent did not close the account. Instead, the petitioner was being levied with monthly minimum charges. The petitioner left with no other option remitted the same on 18.10.2022. The petitioner sent one more request letter on 07.11.2022 through his counsel. A response was sent on 08.12.2022 by the first respondent. Even thereafter the account was not close.



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The supply was disconnected on 16.11.2022, but the account was not closed.

That led to the filing of this writ petition.

3.The grievance of the petitioner is well founded. Of course, the petitioner has to clear all the pending arrears. But on that ground there was no need to keep the account alive. Because if the account is kept alive, the petitioner has to incur monthly minimum charges. I therefore direct the respondents to treat the petitioner's account in respect of the petition mentioned service connection as closed with effect from 16.11.2022. The petitioner will not be liable to pay for any further charges thereafter. As regards the refund of the security deposit, the said issue is left open. In this writ petition it is only declared that the petitioner's account should be treated as closed with effect from 16.11.2022.

4.This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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G.R.SWAMINATHAN, J.

MGA

To

- 1.The Assistant Engineer,
TANGEDCO,
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Thoothukudi District.
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Kovilpatti,
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