



W.P(MD)No.1018 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1018 of 2023

and

W.M.P(MD)No.962 of 2023

S.Vanamamali

... Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.

2.The Executive Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.

3.The Assistant Executive Engineer, (Distribution),
TANGEDCO,
Mela Mada Street,
Nanguneri,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order Ka.No.Vu.Sea.Po/Vi/Nanguneri/A.No.



W.P(MD)No.1018 of 2023

279/2022-23 passed by the third respondent dated 02.01.2023 as illegal and quash the same and consequently direct the third respondent to revoke the extra levy charges of Rs.3,945 and Rs.1,18,474 imposed to petitioner's electricity Service connection numbers S.C.No. 025-015-227 and S.C.No. 025-015-156 withi in a time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the Tamil Nadu Generation and Distribution Corporation (TANGEDCO).

2.The writ petitioner has been charged with unauthorized use of electricity. He has been served with final assessment order also. The petitioner has an appeal remedy. No case has been made out for invoking the writ jurisdiction of this Court. The petitioner is given liberty to file an appeal before the appellate authority. If such appeal is filed within two weeks from today (19.01.2023), it will be entertained without reference to limitation. The petitioner is at liberty to seek interim relief before the appellate authority also. If any interim application is filed, the same will be disposed of on merits and in accordance with law within two weeks after such filing. The impugned



W.P(MD)No.1018 of 2023

assessment order will be put on hold and kept in abeyance for a period of six weeks. I make it clear that I have not gone into the merits of the matter. It is for the appellate authority to take a call in the matter.

3.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.01.2023

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

To

- 1.The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.
- 2.The Executive Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharajanagar,
Tirunelveli.
- 3.The Assistant Executive Engineer, (Distribution),
TANGEDCO,
Mela Mada Street,
Nanguneri,
Tirunelveli District.



WEB COPY



W.P(MD)No.1018 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.1018 of 2023
and
W.M.P(MD)No.962 of 2023

19.01.2023