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W.P.(MD)NO.1044 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1044 of 2023 and
W.M.P.(MD)Nos.982 to 984 of 2023

Sri Saraswathi Modern Rice Mill,
Rep. by its Proprietor Shan,
94, Aladi Street, Cherankovilpathu,
Pathamadai, Cheranmahadevi Taluk,
Tirunelveli District – 627 453.

... Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
10th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.
2. The Superintending Engineer(Distribution),
Tirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Thiagaraja Nagar,
Tirunelveli -2.
3. The Assistant Divisional Engineer(Distribution),
Cheranmahadevi Division,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Cheranmahadevi Taluk,
Tirunelveli District.
4. The Assistant Engineer(Distribution),
Cheranmahadevi Section,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Cheranmahadevi,
Tirunelveli District – 627 414.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned TANGEDCO payment bill No.Nil dated 29.12.2022 issued by the fourth respondent for the period from 28.10.2022 to 29.12.2022 for S/C.No.07061010368 and quash the same as illegal and consequently directing the respondents to reassess and to issue fresh electricity bill for the period from 28.10.2022 to 29.12.2022 in the petitioner's modern rice mill in S/C.No.07061010368 situated at 94, Aladi Street, Cherankovilpathu, Pathamadaai, Cheranmahadevi Taluk, Tirunelveli District 627 453 in accordance with law.

For Petitioner : Mr.S.Siva Subramanian

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 respondents.



2. The petitioner is aggrieved by the impugned bill issued by the fourth respondent. If according to the petitioner, the bill makes an excess demand on the petitioner, the petitioner can very well approach the appellate authority. The petitioner's counsel on instructions submitted that such an appeal has been filed before the second respondent.

3. The second respondent shall dispose of the petitioner's appeal on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. In the meanwhile the impugned demand shall be put on hold and kept in abeyance. I make it clear that I have not gone into the merits of the matter. It is open to the second respondent to pass order one way or the other. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

20.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

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