

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.09.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.9075 of 2021**

**and**

**W.M.P.(MD)Nos.6836 and 6897 of 2021**

M/s.NAC Jewellers Private Limited,  
represented by its CFO, S.Mahadevan,  
Old No.45, New No.26,  
K.B.Dasan Road, Teynampet,  
Chennai-600 018.

... Petitioner

**Vs.**

1.Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
(Formerly Tamil Nadu Electricity Board),  
represented by its Chairman-cum-  
Managing Director,  
No.144, Anna Salai, Chennai 600 002.

2.The Chief Engineer (Distribution),  
Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
(Formerly Tamil Nadu Electricity Board),  
Erode Electricity Distribution Circle,  
Erode.

3.The Superintending Engineer,  
TANGEDCO,  
Theni Electricity Distribution Circle,  
Theni.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorari***, to call for the records relating to the show cause notice having Ref.No.Lr.No.SE/TEDC/Theni/DFC/AO (Rev)/AS/wind/F.Audit/D.No.69/2021, dated 05.02.2021, issued from the 3<sup>rd</sup> respondent and to quash the same as unwarranted.

For Petitioner : No appearance

For Respondents : Mr.S.Deenadhayalan

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### **ORDER**

This writ petition is filed for issuance of a writ of Certiorari, to call for the records relating to the show cause notice, dated 05.02.2021, issued from the 3<sup>rd</sup> respondent and to quash the same as unwarranted.

2.Through the impugned order, the petitioner was directed to pay Rs.1,65,074/- being the difference in tariff rate for the period from January 2019 to March 2019.

3.The learned Standing Counsel appearing for the respondents submitted that the impugned order is only a show cause notice and the petitioner was directed to submit objection. Therefore, the impugned order challenged in this writ petition is not an order and is only a notice.

4.Therefore, this Court is not inclined to entertain this writ petition. The petitioner is directed to submit the objection to the impugned notice. The respondents shall afford personal hearing and thereafter, pass a speaking order. The petitioner is directed to submit objections within a period of four weeks from the date of receipt of a copy of this order, thereafter, the respondents shall consider the same within a period of eight weeks therefrom.

5.With the above said observation, the writ petition is disposed of.  
No costs. Consequently, connected miscellaneous petitions are closed.

**11.09.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
Tmg

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**S.SRIMATHY, J.**

Tmg

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