



W.P.(MD).No.13544 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.13544 of 2020

and

W.M.P(MD)Nos.11286 and 11288 of 2020

Inbavalli Achi

... Petitioner

Vs.

The Superintending Engineer,
Tamilnadu Generation and Distribution
Corporation Limited,
K.Pudur, Madurai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a *Writ of Certiorarified Mandamus*, to call for records of the impugned bill to the petitioner's EB Service Connection No. 05-007-207-12 bill, dated 29.05.2020 and to quash the same and consequently, to direct the respondents to re-asses the EB Service Connection No. 05-007-207-12 under Tariff-IA (Domestic) from the date of application made on 22.02.2020.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.S.Deenadhayalan



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ORDER

This writ petition is filed for writ of Certiorarified Mandamus, to quash the impugned bill dated 29.05.2020 to the petitioner's EB Service Connection No. 05-007-207-12 and consequently, to direct the respondents to re-asses the EB Service Connection No. 05-007-207-12 under Tariff-IA (Domestic) from the date of application made on 22.02.2020.

2. The petitioner in order to put up the construction had applied for change of Tariff from Tariff IA (Domestic) to Tariff VI (Construction). However, due to financial constrain and Covid-19, the petitioner could not proceed further in construction. However, the respondent had generated bill to the tune of Rs.52,859/-.

3. The contention of the petitioner is that according to the petitioner, he is liable to pay only Rs.23,551.50/- under tariff IA but instead the respondent has kept the tariff under VI and has collected excess amount. The petitioner is relying on the Section 9 of Tamilnadu Electricity Regulatory



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Commission – Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004.

4. The respondent has filed counter affidavit stating that the petitioner has consumed 4520 units as per meter reading. The contention of the petitioner is that the respondent ought to have changed the Tariff from Tariff VI to Tariff IA within a period of seven days from such request. Since the respondent has not carried out the same, the petitioner has unnecessarily incurred a loss. Therefore, the respondent ought to have considered the petitioner's claim as per the Section 9 as stated supra.

5. Therefore the respondent shall consider the claim of the petitioner as per Section 9 of Tamilnadu Electricity Regulatory Commission – Tamil Nadu Electricity Distribution Standards of Performance Regulations, 2004 and pass orders as per law. It is seen this Court had passed interim order of stay on condition that the petitioner was directed to pay Rs.25,000/- and the petitioner had already paid the same amount. The respondent shall take the said



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payment into account while passing the order. The respondents shall pass orders within a period of six weeks from the date of receipt of a copy of this order.

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

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

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S.SRIMATHY, J.

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