



W.P(MD)No.14893 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14893 of 2015

P.Maheswari Vaiyapuri

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Anna Salai,
Chennai-2.
- 2.The Superintending Engineer,
Trichy Electricity Distribution Circle / Metro,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Trichy-20.
- 3.The Executive Engineer,
O&M/Urban,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Trichy-17.
- 4.The Assistant Executive Engineer,
(O&M) Palakkarai,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Trichy-17.



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5. The Assistant Electrical Engineer,
(O &M) Senthaneerpuram Division,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Trichy-17.

... Respondents

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 the records pertaining to the impugned letter of the 5th respondent in K.No.EMiPo/E.Ka./Se.Pu/Ko.Kattu/A/No.82/05-16 dated 09.06.2015 and impugned letter of the 4th respondent in K.No..U.Se.Po/E.Ka/Pala/Ko.complaint petition/A.No.57/15 dated 10.06.2015 and quash the same and consequently direct the respondents to reclassify the electricity consumption charge form Tariff -V to Tariff I-A in the petitioner's office within a time frame that may be stipulated by this Court.

For Petitioner : Mr.S.B.S.Meltiue

For Respondents : Mr.S.Deenadhayalan

ORDER

Heard both sides.

2. The petitioner is said to be running a legal aid centre. The petitioner has been utilizing a portion of her brother's residence. TANGEDCO declined to treat the connection as a domestic one. It was held that service connection will fall under Tariff V. Challenging the stand of the respondents, the present writ petition came to be filed.



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3. During the relevant time, the use of small extent of the office space by lawyers was treated only under the domestic category. However, TNERC vide order dated 11.08.2017 made it clear that the consulting room space limited to 200 square feet would be treated under domestic category where it was attached to the residence of such professionals. But it was made clear that this facility is extended exclusively to take advantage of using the residence by the professionals. In this case, the petitioner is not using the remaining part of her room as her residence. Service connection will necessarily be billed under Tariff V category with effect from 11.08.2017. If the petitioner shifts her consulting room to her own residence, obviously, she can taken advantage of the aforesaid TNERC order.

4. With this clarification, the writ petition is disposed of. No costs.

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

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