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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.24252 of 2022

and

WMP(MD)18354 of 2022

C.Rengaraj

... Petitioner

v.

1.The Execuive Engineer,
(Operation & Maintenance),
TANGEDCO, Pudukkottai,
Pudukkottai District.

2.The Assistant Executive Engineer,
(Operation & Maintenance),
TANGEDCO, Gramiyam,
Pudukkottai, Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the 2nd respondent in his proceedings Ka.No. USePo/Eka/Kira/Pudhukai/Ko.Kattu/A.No.792/22 dated 10.10.2022 and quash the same as illegal, arbitrary and in violation of principles of natural justice.

For Petitioner : Mr.B.Saravanan, Senior Counsel
for Mr.D.Kirubakaran



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For Respondents : Mr.S.Deenadhayalan,
Standing counsel

ORDER

Heard the learned counsel on either side.

2.The petitioner's LTCT was converted into HTCT with effect from 29.08.2022. The impugned demand issued on 10.10.2022 reads that on account of the consumption of the petitioner in excess of the contracted demand, he has to pay excess charges to the tune of Rs.7,08,858/-. This demand is put to challenge in this writ petition.

3.The learned Senior Counsel appearing for the petitioner argued that the impugned communication has been passed in violation of principles of natural justice and that it is also bereft of particulars. The contentions urged by the learned Senior Counsel might as well be well founded. But, still I am not inclined to interfere for the simple reason that even in the affidavit filed in support of the writ petition no specific allegation has been set out as such. The details regarding consumption are very much available with the petitioner himself. It is not the case of the petitioner that the meter in question is defective. Since no substantive challenge has been mounted to the demand, I



decline to interfere on the procedural ground of violation of principles of natural justice alone. The writ petition stands dismissed. No costs. Connected miscellaneous petition is closed.

06.02.2023

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

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