



WP (MD) No.8431 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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M/s.Geetha Krishna Spinning Mills Private Limited,
Represented by its Director,
V.S.Rammohan Raja
S/o.V.K.Subramania Raja
116/2-A, Melapattinam,
Karisalkulam,
Rajapalayam,
Virudhunagar District. ... Petitioner

Vs

- 1.The Superintending Engineer,
TANGEDCO,
Virudhunagar Electricity Distribution Circle,
Virudhunagar.
- 2.The Assistant Audit Officer,
TANGEDCO / Audit Branch,
Audit Party No.1,
Tirunelveli Region,
Tirunelveli-11. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the 1st respondent to refund the sum of Rs.1,91,393/- to the petitioner Mill and consequently consider the representation dated 01.02.2016.



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For petitioner : Mr.P.Arun Jayatram
For Respondents : Mr.S.Deenadhayalan,
Standing Counsel

ORDER

This writ petition has been filed for writ of mandamus directing the 1st respondent to refund the sum of Rs.1,91,393/- by considering the petitioner's representation dated 01.02.2016.

2.The case of the petitioner is that the petitioner has already paid the peak hour excess demand charges along with the electricity charges. However, the petitioner has been levied with peak hour charges of Rs.1,91,393/-. The petitioner in order to avoid any disconnection has paid the said amount and filed this writ petition seeking for refund the same.

3.The learned Standing Counsel appearing for the respondent Board submits that the peak hour charges are levied as per the norms and as per the objections raised during the audit.



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4.Heard the learned Counsel on either side and perused the materials placed on record.

5.The petitioner claims that he has already paid the peak hours excess demand charges along with the consumption charges and the respondents claim that the peak hour excess demand penalty was levied as per the audit slip. Though the penalty has been levied, the petitioner has not been provided with any opportunity. Therefore, the 1st respondent shall provide an opportunity to the petitioner for making his reply to the audit slip and thereafter, considering his reply, pass orders within a period of four weeks there from.

6.This writ petition is disposed of with the above direction. No costs.

20.06.2023

dsk

To



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