



W.P(MD)No.23163 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.23163 of 2023 and
WMP(MD) No.19364 of 2023

Vanitha .S

... Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Trichy.

2.The Executive Engineer,
Operation and Maintenance,
Manapparai,
Trichy District.

3.The Assistant Engineer,
Operation and Maintenance / South,
Manapparai-Post and Taluk,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus call for the records of the impugned order passed by the 3rd respondent in Letter No.U.Mi.Po/ E.Ka/ The/ Mana/ Co.Kattu/ A.No.98/ 2023-24 dated 18.07.2023 and quash the same as illegal.



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For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.S.Deenadayalan
Standing Counsel

ORDER

The petitioner is running a Mill in the name of 'Sri Kumaran Modern Rice Mill' at Poigaipatty Village, Manapparai Taluk. According to the petitioner, the electricity consumption charges will vary as per the functioning of the Mill. However, for the past one year, the petitioner has received an exorbitant electricity bill and at request of the petitioner, the meter has also been replaced on 28.04.2023. The earlier meter has been sent for analysis. The petitioner is remitting the electricity charges as per the meter reading. At this juncture, the petitioner has received a communication from the respondent Board with a direction to the petitioner to pay a sum of Rs.12,89,652/- as consumption charges for March and April 2023 within seven days. Challenging the same, the petitioner is before this Court.

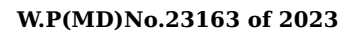


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2.The learned standing counsel appearing for the respondent Board submits that the petitioner has raised an issue that the meter is a defective one. Considering the same, the respondent Board has subjected the meter for MRT Test and replaced with a new meter. The MRT test report reveals that there is no defect in the meter. The electricity consumption charges for the months March and April 2023 was Rs.25,55,967/-. The petitioner has paid Rs.12,66,315/-. Hence, the respondent Board has sent a communication to the petitioner, directing her to pay the remaining amount of Rs.12,89,652/-.

3.The learned counsel appearing for the petitioner submits that the Mill is running regularly and usual consumption charges is around Rs.2,00,000/- to Rs.3,00,000/- per month. However, for the month of March and April 2023, the consumption charges has been arrived at by the respondent Board is Rs.25,55,967/-. The respondent Board is now claiming that the meter is in tact. The petitioner without prejudice to her claim has





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that she is intending to file an appeal before the Consumer Forum and seeks for an interim relief for paying the remaining amount within a period of eight weeks in two installments, without prejudice to her claim before the Forum.

6.In view of the above, this writ petition is disposed of with a direction to the petitioner to pay the remaining amount of Rs.12,89,652/- within a period of eight weeks from the date of receipt of a copy of this order in two equal installments. The respondent Board shall restore the electricity service connection to the petitioner's Mill, on receipt of the first installment. No costs. Consequently, connected Miscellaneous Petition is closed.

22.09.2023

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



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B.PUGALENDHI, J.

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