



W.P(MD)No.24107 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24107 of 2023

and

W.M.P(MD)Nos.20276 to 20278 of 2023

Ales K Varghese

... Petitioner

Vs.

1.The Superintending Engineer (Distribution),
TANGEDCO,
Madurai Distribution Circle,
Madurai.

2.The Assistant Executive Engineer (Distribution),
TANGEDCO,
Elumalai,
Madurai District.

... 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 relating to the impugned order passed by the second respondent in Ka.No.VuMiPo/Na/Ae/Va/Me A.No/ dated 15.06.2023 and consequential order of the second respondent in



W.P(MD)No.24107 of 2023

Ka.No.Vu.MiPo/Nagar/Elu/Ko.Va.Pi/A.No.37 dated 08.09.2023 and quash the same as illegal and consequently direct the respondent to restore the petitioner's electricity connection forthwith.

For Petitioner : Mr.N.Mohideen Basha

For Respondents : Mr.S.Dheenadhayalan
Standing Counsel

ORDER

Heard both sides.

2. The respondents have raised the impugned demand on the petitioner on the basis of an audit slip. Copy of the audit slip was not furnished to the petitioner. No notice has been given to the petitioner before raising the impugned demand. More than anything else, the details are completely absent. The petitioner does not even know as to why the impugned demand is being made on him.

3. In view of the clear violation of principles of natural justice, the impugned order is quashed. The matter is remitted to the file of the



W.P(MD)No.24107 of 2023

second respondent. The second respondent is at liberty to issue fresh notice to the petitioner. Notice will contain all the relevant details. The basis of the demand must be made known to the petitioner. The petitioner's objection will be received. If necessary, summary enquiry may be held. Thereafter, final order shall be passed. I make it clear that I have not gone into the merits of the matter. All the defenses of the petitioner are left open. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

4.At this stage, the learned counsel appearing for the petitioner states that since the petitioner did not comply with the impugned demand, the service connection was cut off. Since the demand itself has now been set aside and the issue has been remitted to the file of the second respondent, without seeking any re-connection charges, the respondents shall restore the supply of electricity immediately and without any delay.

04.10.2023

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

Note: Issue order copy on 05.10.2023.

3/4



WEB COPY



W.P(MD)No.24107 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.24107 of 2023

and

W.M.P(MD)Nos.20276 to 20278 of 2023

04.10.2023