



W.P(MD)No.26149 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26149 of 2023

and

W.M.P(MD)Nos.22508, 22509 & 22510 of 2023

M.Pandi

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation, Dindigul,
Dindigul District.

2.The Assistant Executive Engineer,
Distribution,
TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation West,
Batlagundu, Dindigul District.

3.The Assistant Executive Engineer,
Excise, TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation,
Dindigul.

... Respondents



W.P(MD)No.26149 of 2023

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 report of the second respondent dated 16.08.2023 with annexure of impugned assessment of notional theft of energy and consent letter of petitioner, quash the same and consequently direct the respondents herein to forthwith restore the free agricultural electricity SC No.242.002.204 Tariff IV, Kannimarkovilpatti, in Survey Nos.131/1A and 131/1B Viralipatti Village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.S.Dheenadhayalan
Standing Counsel

ORDER

Heard both sides.

2. The petitioner is an agriculturist. He is said to have used unauthorised agricultural service connection. This was found out when inspection was conducted on 16.08.2023. The petitioner paid the compounding charges. Now the petitioner would claim that it was paid



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under coercive circumstances. I cannot accept the said explanation.

Once compounding charges had been paid, it amounts to admission of guilty. Therefore, the petitioner is liable to pay assessment charges. The respondents have quantified the assessment charges at Rs.60,700/- (Rupees Sixty Thousand and Seven Hundred only). The petitioner is said to have paid Rs.20,000/- (Rupees Twenty Thousand only) already. He has to pay the balance amount of Rs.40,700/- (Rupees Forty Thousand and Seven Hundred only). The petitioner is said to be a poor agriculturist.

3. Considering the special facts and circumstances of this case, he has to pay the remaining balance amount of Rs.40,700/- (Rupees Forty Thousand and Seven Hundred only) in three monthly installments. The first installment shall commence on 20.11.2023. The second installment has to be paid on 20.12.2023 and the third installment has to be paid on 30.01.2024. The respondents are directed to effect reconnection immediately subject to payment of reconnection charges.



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4. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

01.11.2023

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

Note: Issue order copy on 03.11.2023.

To

- 1.The Superintending Engineer,
TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation, Dindigul,
Dindigul District.
- 2.The Assistant Executive Engineer,
Distribution,
TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation West,
Batlagundu, Dindigul District.
- 3.The Assistant Executive Engineer,
Excise, TANGEDCO,
Tamil Nadu Generation & Distribution
Corporation,
Dindigul.



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G.R.SWAMINATHAN, J.

MGA

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