



W.P(MD)No.27921 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27921 of 2023

and

W.M.P.(MD)No.24024 of 2023

S.Marisamy

... Petitioner

Vs.

1.The Superintendent Engineer (TNEB),
Near RDO Office,
Bharathi Nagar,
Ramanathapuram District.

2.The Assistant Engineer,
Tamilnadu Electricity Board,
Nainarkovil,
Ramanthapuram District.

3.The Executive Engineer,
Tamilnadu Electricity Board,
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents not to disconnect the petitioner's house electricity



W.P(MD)No.27921 of 2023

connection in Connection No.345-027-816 for penalty amount, based on his representation dated 18.11.2023.

For Petitioner : Mr.C.Susikumar

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel.

ORDER

Heard both sides.

2.The petitioner is running a brick chamber. When the Anti Power Theft Squad inspected the petitioner's business premises, they found out that energy theft was being committed. Notice was issued to the petitioner. The petitioner paid the necessary compounding charges also. Since the petitioner had paid the compounding charges, that amounts to admission of guilt. Assessment charges were also calculated accordingly. The petitioner was directed to pay a sum of Rs.3,60,000/-. Seeking reduction of the same, the petitioner filed W.P.(MD)No.10682 of 2023. No interim order was passed therein. In the meanwhile, the respondents



W.P(MD)No.27921 of 2023

proposed to effect disconnection. That led to the filing of the present writ petition.

3.I am more than satisfied that case for interference has not been made out. But then relief can be granted to the petitioner by permitting him to pay the amount demanded by the authorities in installments. The service connection given to the petitioner's brick chamber was disconnected on 16.03.2023 itself. The petitioner is now facing disconnection of the service connection of his residential premises. Taking into account the overall facts and circumstances, the petitioner is permitted to pay the sum of Rs.3,48,000/- in seven equal monthly installments. The petitioner is directed to pay the first installment on or before 08.12.2023. If the petitioner makes the said payment, the service connection made in respect of the residential premises will not be disconnected. Upon the petitioner paying a sum of Rs.1,00,000/-, the service connection in respect of the petitioner's brick chamber will be restored. If the petitioner commits default in paying even a single monthly installment, disconnection will follow immediately.



W.P(MD)No.27921 of 2023

G.R.SWAMINATHAN, J.

ias

4.This writ petition is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

24.11.2023

NCC : Yes/No

Index : Yes / No

Internet : Yes/ No

ias

Issue order copy on 27.11.2023.

W.P(MD)No.27921 of 2023

24.11.2023