



WEB COPY



W.P.No.32726 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.32726 of 2024
and
WMP.No.35561 of 2024

P.V.Rajaboopathy Pandian

...Petitioner

Vs.

1. The Secretary to Government of Tamil Nadu,
TANGEDCO, Fort St. George,
Chennai - 600 009.
2. The Executive Engineer,
TANGEDCO,
Pattinambakkam,
R.A.Puram, Chennai - 600 028.
3. The Assistant Director,
TANGEDCO, Pattinambakkam,
R.A.Puram, Chennai - 600 028.
4. The Assistant Engineer,
TANGEDCO, DGM/Foreshore Estate,
CEDC / Central, Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the Demand letter 02.09.2024 issued by the Assistant Engineer, O & M / Foreshore Estate, the fourth respondent herein and quash the same and



W.P.No.32726 of 2024

consequently direct the fourth respondent to restore the Electricity Consumer Card No.135-033-74.

For Petitioner : Mr.M.T.Arunan
assisted by Mr.M.A.Aruneshe
For R1 : Mr.V.Jeeva Giridharan
Additional Government Pleader
For R2 to R4 : Mr. Jai Venkaesh

ORDER

The petitioner filed this writ petition challenging the order passed by the third respondent making demand for payment of Rs.35,681/- towards Electricity Consumption charges for a period April to August 2024.

2. Mr.M.T. Arunan, learned counsel appearing for the petitioner taking this Court to the Consumption chart included in the typed set, submitted that there was unreasonable hike in the Consumption charge during the month of April 2024. Therefore, the petitioner submitted a representation before the third respondent bringing it to his notice that the demand of Rs.30,200/- for the month of April 2024 was unreasonably high. The third respondent without considering the representation submitted by the petitioner, passed the impugned demand notice directing the petitioner to pay the Consumption charges as if the meter was found to be working properly. Aggrieved by the same, the petitioner is before this Court.



W.P.No.32726 of 2024

WEB COPY

3. If the petitioner has any grievances with regard to the excessive demand made by the respondents, he has alternative remedy of approaching the Consumer Redressal Forum by way of filing appeal under section 18 of Tamil Nadu Electricity Supply Code, 2004. Without exhausting the alternative remedy before the competent authority, the petitioner is not entitled to approach this Court. Hence, this Court is not inclined to entertain the request of the petitioner. Further the correctness or otherwise of the demand made by the respondents cannot be gone into by this Court, as it revolves around question of fact relating to alleged improper working of electric meter at the relevant point of time. Therefore, the petitioner is directed to approach the Consumer grievances redressal forum of the respondent / TANGEDCO within a period of two weeks from the date of receipt of copy of this order. If any such appeal is filed by the petitioner before the competent authority, the same shall be considered and disposed of within a period of twelve weeks from the date of appeal by the petitioner.

4. It is also brought to the notice of this Court that due to the failure of the petitioner to make payment as per the demand, his electricity service connection was dis-connected. In view of the same, the petitioner is directed



W.P.No.32726 of 2024

to deposit 50% of the amount demanded in the demand letter dated 02.09.2024 within a period of one week from the date of receipt of copy of this order. On such payment made by the petitioner, the respondents are directed to re-connect the electricity service connection to the petitioner immediately. It is made clear that the amount deposited by the petitioner, is subject to the final order to be passed by the Consumer Redressal Forum. In case the demand made by the respondents is found to be correct by the competent authority, it is for the petitioner to pay the balance amount within the time to be specified in the order. In case the petitioner's case is accepted by competent authority, the excess amount, if any, deposited by petitioner pursuant to this order can be adjusted with future dues.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
av



W.P.No.32726 of 2024

WEB COPY

To

1. The Secretary to Government of Tamil Nadu,
TANGEDCO, Fort St. George,
Chennai - 600 009.
2. The Executive Engineer,
TANGEDCO,
Pattinambakkam,
R.A.Puram, Chennai - 600 028.
3. The Assistant Director,
TANGEDCO, Pattinambakkam,
R.A.Puram, Chennai - 600 028.
4. The Assistant Engineer,
TANGEDCO, DGM/Foreshore Estate,
CEDC / Central, Chennai.



WEB COPY



W.P.No.32726 of 2024

S. SOUNTHAR, J.

av

W.P No.32726 of 2024

05.11.2024