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W.P.No.34883 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.34883 of 2024
and
W.M.P.No.37815 of 2024

Latha Ravichandran

... Petitioner

VS.

The Assistant Engineer
Rural – Distribution/Maintenance,
TANGEDCO,
No.110/33-11 KV Chidambaram,
Substation Campus,
Near Anandeeswaram Koil Street,
Chidambaram – 608001.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the respondent pertaining to the impugned notice ref.letter.no. ஊ/மி/ பொ/ கிராமம்/ சிதம்/ கோ.கட்டு/அ/எண் dated 23.08.2024 and quash the same.



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W.P.No.34883 of 2024

For Petitioner : Mr.J.Chandran Sundar Sashikumar
for M/s.Mythili Srinivas

For Respondent : Mr.V.Venkata Seshaiya
Standing Counsel (TNEB)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondent, this writ petition is disposed of at the admission stage itself.

2. The Writ Petition is filed challenging the demand notice issued by the respondent directing the petitioner to pay a sum of Rs.1,32,654/- towards current consumption charges for a period from October-2019 to December-2019. Aggrieved by the said demand notice, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner submits that the quantum of current consumption charges allegedly payable by the petitioner was arrived at arbitrarily, without giving any opportunity to the petitioner.



W.P.No.34883 of 2024

4. A reading of the impugned order along with annexure would suggest that at the relevant point of time, the electricity meter was defective and the demand amount was arrived at by the respondent based on the average consumption charges for the other periods.

5. Against the impugned demand notice issued by the respondent, under Rule 18 of the Tamil Nadu Electricity Supply Code, the petitioner/consumer has a remedy before the Consumer Grievance Redressal Forum. Therefore, this Court is not inclined to entertain the writ petition, when there is an alternative remedy available to the petitioner under the relevant code.

6. In view of the same, the petitioner is directed to avail alternative remedy before the Consumer Grievance Redressal Forum, within a period of two weeks from the date of receipt of copy of this order by depositing 50% of the demand amount. The said Authority shall consider the appeal filed by the petitioner and dispose of the same in accordance with law, within a period of six weeks from the date of receipt of application from the petitioner. In case, the Consumer Grievance Redressal Forum accept the case



W.P.No.34883 of 2024

of the petitioner, she is entitled to get the adjustment of the amount deposited by her with the future consumption charges.

7. With these clarifications, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition closed.

25.11.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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S.SOUNTHAR, J.

dm

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