



W.P.No.37682 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.37682 of 2024
and
W.M.P.No.40741 of 2024

Krishnappa

... Petitioner

VS.

1.Assistant Engineer,
Tamil Nadu Electricity Generation and Distribution
Operation and Maintenance
Bagalur,
Krishnagiri District

2.Santhosh

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records in collection of extra levy dated 08.03.2023 in electricity connection No.083-003-418 on the file of the 1st respondent and quash the same.



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For Petitioner : Mr.S.C.Vishwanth

For R1 : Mr.S.Madhusudanan
Standing Counsel (TNEB)

ORDER

The Writ Petition is filed challenging the Provisional Assessment Order passed by the 1st respondent dated 08.03.2023.

2. The petitioner is an electricity consumer under the 1st respondent. On 08.03.2023, the 1st respondent conducted inspection of petitioner's premises and found the petitioner indulge in certain misconduct like bypassing of the meter. Therefore, the 1st respondent passed a provisional order under Sections 135(1)(a) and (b) of the Electricity Act, 2003 assessing the amount payable by the petitioner at Rs.3,75,938/-. The petitioner was also directed to pay compounding charges of Rs.40,000/- under the same order. Aggrieved by the same, the petitioner has come before this Court.



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3. When the writ petition is taken up for hearing, the learned counsel appearing for the petitioner submits that the petitioner already paid the compounding charges of Rs.40,0000/- and he is willing to pay the remaining amount of Rs.3,75,938/- in 6 equal instalments starting from January, 2025. The said statement made by the learned counsel appearing for the petitioner is recorded.

4. Mr.S.Madhusudanan, learned Standing Counsel (TNEB) appearing for the 1st respondent, on instructions, would submit that if the petitioner pays the entire amount mentioned above, within the time stipulated by this Court, the electricity service connection will be restored by the 1st respondent.

5. In view of the above said statement made by the learned counsel for the petitioner that his client is ready and willing to pay the entire amount arrived at by the 1st respondent by way of provisional assessment order, this Court is inclined to direct the petitioner to pay a sum of Rs.3,75,938/- in 6 equal monthly instalments starting from January, 2025. The instalments shall be paid by the petitioner in addition to the regular current consumption



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charges every month. On payment of the 1st instalment by the petitioner, the 1st respondent shall restore the power connection to the petitioner's premises. In case, the petitioner commits default in making payment of any one of the monthly instalments as directed, it is open to the respondents to take action in accordance with law, including disconnection of electricity.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

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



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To

Assistant Engineer,
Tamil Nadu Electricity Generation and Distribution
Operation and Maintenance
Bagalur, Krishnagiri District.



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S.SOUNTHAR, J.

dm

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