



W.P.No.36742 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.12.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.36742 of 2024
and WMP.Nos.39649 and 39650 of 2024

Razia Begum

..... petitioner

Vs.

1.The Tamil Nadu Electricity Board,
Represented by its Chairman, Anna Salai,
Chennai – 600 082.

2.The Superintending Engineer, (Distribution) North,
Tamil Nadu Ele Board,
Anna Salai, Chennai – 600 002.

3.The Assistant Executive Engineer,
Production and Distribution of Tamil Nadu Electricity Board,
Thiruporur, Chengalpattu,
Chengalpattu District.

..... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice affixed by the 3rd respondent in his proceedings dated 14.08.2024 in the premises of M/s.Sree Jubilee Shelters



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Private Limited, situated at No.B1, K2, 101, 1st Floor, Sowbackiyam, Vijayam Nagar, Tiruporur, Chengalpattu District quash the same as illegal and come under commercial tariff as the same is unconstitutional arbitrary, ultra vires against the Rules Guidelines of TNEB and further direct the respondents to assess the Service Connection only under Domestic Tariff and to set aside the payment of Rs.94,595/- and permitted her to pay the appropriate charges within a stipulated period of time fixed by this Court.

For petitioner : Mr.M.Dinesh

For Respondents :Mr.L.Jaivenkatesh
Standing Counsel (TNEB)

ORDER

This writ petition is filed challenging the impugned notice issued by the 3rd respondent for conducting inspection of the petitioner's premises.

2. The petitioner is the owner of the flat No.B1, K2, 101, 1st Floor, Sowbackiyam, Vijayam Nagar, Tiruporur, Chengalpattu District. Though the petitioner paid electricity consumption charges, the 3rd respondent affixed impugned notice intimating the petitioner that his subordinates would visit the premises of the petitioner on 14.08.2024 for



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inspection. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the respondent on instruction submits that the inspection was conducted on 14.08.2024 and it was found there was an unauthorized use of power and therefore the provisional assessment was made and the petitioner was directed to pay a sum of Rs.85,496/-. The learned counsel further submitted that the petitioner has not raised any objection and the petitioner submitted a representation dated 19.11.2024, requesting the respondents to allow him to pay the amount as per the provisional demand in installments. He submitted a representation on 19.11.2024 seeking twenty days time to settle the amount as per the provisional assessment. Thereafter, demand was raised along with next month power consumption charges and the petitioner was directed to pay a sum of Rs.94,595/-. Till date the petitioner has not paid the outstanding amount including the amount as per the provisional assessment.

4. From the facts narrated above, the 3rd respondent passed a provisional order directing the petitioner to pay a sum of Rs.85,496/-. If the



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petitioner has got any objection with regard to the quantum arrived at by the 3rd respondent, it is for him to file objection with regard to the provisional order. Therefore, the petitioner is granted one week time to submit his objections against the provisional assessment made. The 3rd respondent shall consider the objection of the petitioner and pass final order within a period of four weeks from the date of receipt of objection from the petitioner. If the petitioner failed to submit any objection within time stipulated, it is open to the 3rd respondent to pass final order and take further action in accordance with law.

5. Accordingly, this writ petition is disposed of. No costs.

Consequently connected miscellaneous petitions are closed.

11.12.2024

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

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S.SOUNTHAR, J.

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