



W.P.No.36659 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.36659 of 2024

and

WMP.No.39554 of 2024

S.K.Sivakumar

... Petitioner

vs.

1. The Superintendent Engineer,
Tamilnadu Generation and Distribution Corporation
No.82, Dr.MGR Salai, Tirumurthy Nagar,
Nungambakkam, Chennai - 600 034.
2. The Executive Engineer,
Tamilnadu Generation and Distribution Corporation
No.82, Dr.MGR Salai, Tirumurthy Nagar,
Nungambakkam, Chennai - 600 034.
3. The Assistant Engineer,
Santhome Distribution Circle,
Tamilnadu Generation and Distribution Corporation
(TANGEDCO), Chennai - 600 004.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to restore the electricity service connection in S.No.01126006457 to the petitioner's house to the extent of 320sq.ft. at No.93, A-Block, Nochi Nagar, Mylapore, Chennai - 600 004 replace the reading meter and rectify the excess



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electricity charges viz., bill dated 26.05.2023 for Rs.12,930/-, 26.07.2023 for Rs.6,990/-, 27.09.2023 for Rs.7,100/-, 28.11.2023 for Rs.7,210/-, 31.05.2024 for Rs.14,679/- based on the representation of the petitioner dated 03.06.2024.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel for TNEB

ORDER

The petitioner herein seeks a direction to the respondents to restore the electricity service connection in S.No.01126006457 to the petitioner's house situated at door No.93, A-Block, Nochi Nagar, Mylapore, Chennai - 600 004 and replace the reading meter and rectify the excess electricity charges, by considering his representation dated 03.06.2024.

2. It is the case of the petitioner that he is residing in the above mentioned place and he received excessive billing from the respondents for his electricity service connection due to the defective meter. Therefore, the petitioner submitted various representations before the respondents and the same has not been considered till date. Now, the petitioner received an SMS message dated 18.10.2024 demanding a sum of Rs.36,622 as belated



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payment surcharge. Since the petitioner failed to pay the amount as per the SMS, the respondent disconnected the electricity.

3. It is the specific case of the petitioner that the excessive billing is due to the defective meter. The dispute with regard to the defective meter is a disputed question of fact and the same can not be gone into conveniently in writ proceedings. Therefore, the petitioner has to file an appropriate application before the Consumer Grievances Redressal Forum under Rule 18 of Tamil Nadu Electricity Supply Code, 2004.

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 to deposit a sum of Rs.19,000/- before the third respondent within a period of one week from the date of receipt of copy of this order. On such payment made by the petitioner, the third respondent is directed to restore the electricity service connection to the petitioner immediately. The petitioner shall also file necessary application before the Consumer Grievances Redressal Forum under section 18 of Tamil Nadu Electricity



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Supply Code, 2004 within a period of one week from the date of receipt of copy of this order along with copy of the deposit receipt as directed above.

The Consumer Grievances Redressal Forum shall consider the application of the petitioner and pass final orders, on it's own merits, within a period of eight weeks from the date of submission of the application.

5. With the above directions, the Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

02.12.2024

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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To

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Tamilnadu Generation and Distribution Corporation
No.82, Dr.MGR Salai, Tirumurthy Nagar,
Nungambakkam, Chennai - 600 034.

2. The Executive Engineer,
Tamilnadu Generation and Distribution Corporation
No.82, Dr.MGR Salai, Tirumurthy Nagar,
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3. The Assistant Engineer,
Santhome Distribution Circle,
Tamilnadu Generation and Distribution Corporation
(TANGEDCO), Chennai - 600 004.

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S. SOUNTHAR, J.



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