



W.P(MD)No.2255 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.2255 of 2024

and

W.M.P(MD)Nos.2261 and 2262 of 2024

Ravichandran

... Petitioner

-Vs-

1.The Superintending Engineer,
Madurai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Madurai – 7.

2.The Executive Engineer (MRT),
Pasumalai,
Madurai.

3.The Executive Engineer Distribution,
Samayanallur,
Madurai.

4.The Assistant Executive Engineer,
Samayanallur,
Madurai.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a a Writ of Certiorarified Mandamus to call for the records relating to the impugned demand notice of the 1st



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respondent in Ka.No. Mapo/MaMiPaVa/ Madhu/ThuNiKa/KaMe/UaMiE No.292/A No.501/2023 dated 20.11.2023 and consequential bill dated 04.01.2024 of the 1st respondent and quash the same as illegal and consequently, direct the 1st respondent to furnish the copy of the inspection report mention in impugned demand notice dated 20.11.2023 and restore the Electricity Service Connection of the petitioner in bearing Service No. HT.S.C. No.292.

For Petitioner	: Mr.S.Vellaichamy
For Respondents	: Mr.S.Deenadhayalan Standing Counsel

ORDER

This writ petition is filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned demand notice of the 1st respondent in Ka.No. Mapo/MaMiPaVa/ Madhu/ThuNiKa/KaMe/UaMiE No.292/A No.501/2023 dated 20.11.2023 and consequential bill, dated 04.01.2024 of the 1st respondent and quash the same as illegal and consequently, direct the 1st respondent to furnish the copy of the inspection report mention in impugned demand notice, dated 20.11.2023 and restore the Electricity Service Connection of the petitioner in bearing Service No. HT.S.C. No.292.



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2. According to the petitioner, he is running a crusher unit and there is three phases in HT line. The consumption of the every phase is recorded in the meter, which was installed by the first respondent. Every month, cycle bill was issued by the first respondent to his unit and the same was paid by him without any default. Apart from the petitioner's crusher unit, some other units were running in the locality under the control of the first respondent. The petitioner is running his unit in proper without any violations. However, the first respondent has issued the impugned demand notice, dated 20.11.2023, wherein, he has stated that as per the inspection, they found that some of the power units were missing in R. Phase for calculating EB charges for the period from 21.09.2022 to 31.07.2023. Further, in the impugned notice, they demanded a sum of Rs.8,47,896/-. Immediately, the petitioner approached the first respondent and gave his written objection. However, the said objection is pending. According to the petitioner, the first respondent has not given any proper reply to the objection and the impugned notice has been issued without issuing any prior notice to him. Hence, the impugned demand notice has to be set aside.



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3. It is seen that the impugned demand notice is only a Xerox copy. This Court is of the view that if there is any defect in the electricity meter, it is the duty cast upon the authorities to rectify the same. Though the petitioner has paid the electricity charges every month without any default, the respondent Board disconnected the electricity service connection by sending the impugned notice demanding the petitioner to pay a sum of Rs. 8,47,896/-.

4. The learned counsel for the petitioner would submit that the petitioner is ready and willing to pay a sum of Rs.2,50,000/-. Therefore, considering the submission of the learned counsel for the petitioner, this Court directs the petitioner to pay a sum of Rs.2,50,000/- to the respondents on or before 12.02.2024. On such deposit being made, the respondents shall restore the electricity service connection to the petitioner, forthwith. Parties are at liberty to approach the Consumer Grievance Redressal Forum, for necessary relief, in the manner known to law.



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5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

05.02.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

skn

Note : Issue copy on 09.02.2024.

To

1.The Superintending Engineer,
Madurai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Madurai – 7.

2.The Executive Engineer (MRT),
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3.The Executive Engineer Distribution,
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V.BHAVANI SUBBAROYAN, J.

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