



W.P.(MD)No.19720 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.08.2024**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19720 of 2024
and W.M.P(MD).Nos.16721, 16724 and 16725 of 2024

E.Levin Miranda

.. Petitioner

Vs.

1.The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
TANGEDCO,
131, 132, Ettayapuram Road,
Tuticorin 628 001.

2.The Executive Engineer/Urban, Tuticorin,
131, 132 Ettayapuram Road,
Tuticorin 628 001.

3.The Assistant Executive Engineer,
Tiruchendur 33 KV SS Complex,
Tiruchendur 628 210.

4.The Junior Engineer Paramankurichi
21, 116, 117, Pillaiyar Koil Street,
Sathankulam Road,
Paraman Kurchi 628 213.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records related to the impugned proceedings issued by the third respondent dated 05.08.2024 in the form of inspection notice, mahazaar, assessment order/calculation sheet and quash them all and consequently direct the respondent to forthwith restore the supply of electricity to the petitioner's electricity service connection bearing number 363-010-1018 in Sy.No.250A, Mela Tiruchendur Village (Nadu Nalu Mulai Kinaru), Thoothukudi District.

For Petitioner : Mr.N.Dilipkumar
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed challenging the impugned proceedings issued by the third respondent dated 05.08.2024 in the form of inspection notice, mahazaar, assessment order/calculation sheet with consequential direction to the respondents to forthwith restore the supply of electricity to the petitioner's electricity service connection bearing



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number 363-010-1018 in Sy.No.250A, Mela Tiruchendur Village (Nadu Nalu Mulai Kinaru), Thoothukudi District.

3. Heard both sides.

4. It is the case of the petitioner that he is having 3.8 acres of agricultural land and also having electricity service connection. Thereafter, the petitioner intended to give education to the local children and for that purpose, when he constructed a building, inspection said to have been conducted by the respondents on 05.08.2024 and notice has also been issued demanding Rs.92,083/- as if the petitioner has committed theft of electricity, which caused loss to the State Electricity Board.

5. The learned Senior Counsel for the respondents would submit that only inspection has been conducted and final assessment order will be passed, after hearing the petitioner. He further submit that if the petitioner deposits a sum of Rs.92,083/- without prejudice to his right, they will issue the electricity connection.



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6. The learned counsel for the petitioner would submit that the petitioner is ready to deposit the said amount without prejudice to his right and on such deposit, the respondents may be directed to effect immediate connection.

7. In view of the above, the petitioner is directed to deposit a sum of Rs.92,083/- to the respondents. On such deposit, the respondents are directed to restore the electricity service connection to the petitioner immediately. It is further directed to the respondents to pass provisional assessment/ final assessment by following the Rule 23AA of Tamil Nadu Electricity Supply Code, 2004, only after giving opportunity of hearing to the the petitioner.

8. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

19.08.2024

Index : Yes / No
NCC : Yes / No
Rmk



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N.SATHISH KUMAR, J.

Rmk

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