



W.P.(MD)No.19111 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.19111 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

A.Marichami

... Petitioner

versus

The Assistant/Junior Engineer,
Tamilnadu Generation & Distribution
Corporation Ltd.,
Palanichattipatti Section,
Theni Division,
Theni Electrical Distribution Circle,
Theni District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records from the respondent in the impugned notice in L.R.No.AE/O&M/F.Notice for revision of land/D.No. Dated 15.09.2015 and quash the same and consequently, direct the respondent to demand only for current charges within sanctioned 15KW under Service Connection No.503005140 Tariff:LN3B Phase:3, Distrib:



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Muthuthevanpatty, Main Road, Muthuthevanpatty.

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For Petitioner : Mr.K.Gokul

For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The petitioner is running a welding workshop and he got electricity service connection from the respondent Electricity Board. The petitioner has filed this writ petition as against the notice issued by the respondent dated 15.09.2015. By the order impugned in this writ petition, the respondent has called upon the petitioner to revise the sanctioned demand considering the consumption of the petitioner Company in the month of May 2015.

2. The learned counsel appearing for the petitioner submits that the respondent, without any basis, has issued the impugned notice as if there was consumption more than the sanctioned demand. According to the learned counsel appearing for the petitioner, the petitioner is having the sanctioned demand of 10 KW. However, the respondent,



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without considering the same, has issued the impugned notice.

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3. The learned Standing Counsel appearing for the respondent submits that the sanctioned demand of the petitioner is 2.5KW. However, the petitioner has consumed more than 10 KW in the month of May 2015 and based on the current consumption, the impugned notice has been issued as per the Regulation 5(2)(ii)(c)(iii)(A) of the Tamil Nadu Electricity Supply Code to revise the sanctioned demand. He further submits that the impugned notice is a show cause notice, however, the petitioner, without appearing before the respondent, has filed this writ petition. The learned Standing Counsel has also disputed the claim of the petitioner that he is having the sanctioned strength of 10 KW.

4. This Court considered the rival submissions made.

5. The petitioner has approached this Court as against the notice



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dated 15.09.2015. The impugned notice was issued as per the the Regulation 5(2)(ii)c(iii)(A) of the Tamil Nadu Electricity Supply Code, calling upon the petitioner to revise the sanctioned demand depending upon the consumption of electricity which was consumed in the month of May 2015.

6. Since the impugned notice is only a show cause notice, this writ petition is disposed of with liberty to the petitioner to submit a reply to the respondent within a period of two weeks from the date of receipt of a copy of this order. The respondent shall pass a fresh order, by providing an opportunity of hearing to the petitioner and also taking into consideration of the current consumption of electricity charges at present. No costs. Consequently, connected miscellaneous petitions are closed.

03.01.2024

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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