



W.P.(MD) No.10627 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.10627 of 2016
and
W.M.P.(MD) No.8242 of 2016**

C.Gladys Thabithal

... Petitioner

/vs./

1.The Assistant Engineer,
Town/Went/TNEB,
TANGEDCO,
Kodaikanal 624 201.

2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
TANGEDCO,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned order in letter No.Ka.En.Vu.Mi.Po/Na/Me/Kodai/Ko.39/A.En/2015 dated 28.04.2015 and consequential order passed letter in Na.Ka.No. Vu.Mi.Po/Na/Me/Kodai/KoK302/A.En. 003/16-17, dated 23.04.16 by the 1st



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respondent and quash the same as illegal, arbitrary and violative of principles of natural justice and against section 56(2) of the Electricity Act 2003 and Regulation 21 of the Supply Code 2004.

For Petitioner : Mr.S.Vinod Sathya Lazar

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The writ petition had been filed challenging the impugned order in letter No.Ka.En.Vu.Mi.Po/Na/Me/Kodai/Ko.39/A.En/2015 dated 28.04.2015 and the consequential order passed in Na.Ka.No. Vu.Mi.Po/Na/Me/Kodai/KoK302/A.En. 003/16-17, dated 23.04.16 by the first respondent.

2. The present demand had been made without affording an opportunity to the petitioner based on the audit report.

3. In view of the fact that no opportunity has been given to the petitioner, the impugned demand notice is set aside with liberty to the respondents to proceed afresh after providing an opportunity of hearing to the petitioner.



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4. With such liberty, the Writ Petition stands allowed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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