



W.P.No.837 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.837 of 2024
and WMP.Nos.855 & 856 of 2024

M/s.Ucal Fuel Systems Ltd.,
HTSC No.598,
A3/A3, A4, A5, Industrial Complex,
Maraimalai Nagar, Kancheepuram District
rep. by its President T.Jaisankar

... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
144, Anna Salai, Chennai-600 002.
- 2.The Director Finance,
TANGEDCO,
144, Anna Salai, Chennai-600 002.
- 3.The Superintending Engineer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu.
- 4.The Accounts Officer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Certiorari, calling for the records of the



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fourth respondent's impugned CC bill dated 02.01.2024 insofar as Serial No.22 'Adjustment Charges' alone is concerned and quash the same as illegal, arbitrary and without authority of law and contrary to the second respondents circular Memo dated 03.02.2016, against Section 56(2) of the Electricity Act, against Regulation 7(9), 11 & 13(2) of the TN Supply Code 2004.

For Petitioner : Mr.R.S.Pandiyaraj
For Respondents : Mrs.Keerthana Shena
for Mr.L.Jai Venkatesh,
Standing counsel

ORDER

The fourth respondent's impugned CC bill dated 02.01.2024 insofar as Serial No.22 'Adjustment Charges' alone, is put under challenge in the present Writ Petition as the same is contrary to the second respondent's Circular Memo dated 03.02.2016, against Section 56(2) of the Electricity Act, against Regulation 7(9), 11 & 13(2) of the TN Supply Code 2004.

2. Heard the learned counsels on either side.

3. The short facts of the case is as follows:

3.1. The petitioner obtained electricity connection from the respondents and on 24.02.2017, when the MRT wing conducted inspection



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in the petitioner's premises, they found the metre defective and thereby, passed the impugned demand for which they issued a show cause notice on 22.08.2017 followed by three other show cause notices towards non-adoption of average billing due to “R” Phase CT Ratio error for the period from 27.05.2014 to 24.02.2017 and demanded an aggregate amount of Rs.15,72,897/- for alleged short fall, for which the petitioner had raised his objections through representations, however without considering the same, the impugned order dated 02.01.2024 has been passed. Challenging the same, the present petition.

4. The learned counsel for the petitioner submitted that the respondents neither conducted any enquiry nor provided any opportunity of hearing had passed the impugned order of demand, which is impermissible in law and hence, prayed this Court to set aside the same.

5. Per contra, the learned Standing counsel for the respondents submitted that show cause notices have been sent to the petitioner and thereafter only, the final order has been passed by the respondents and hence, the impugned order warrants no interference.



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6. Considering the facts and circumstances of the case, this Court is of the view that the petitioner has neither been provided an opportunity of hearing nor the respondents had conducted any enquiry in the matter and therefore, sets aside the impugned order dated 02.01.2024 and remanded the matter back to the third respondent for a fresh consideration. The third respondent is directed to conduct an enquiry after affording an opportunity of hearing to the petitioner and shall pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition stands disposed of.
There shall be no orders as to costs.

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Index: Yes/No

NCC : Yes/No

Order : Speaking/Non Speaking

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