



WEB COPY

W.A.No.563 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

**W.A.No.563 of 2025
and
C.M.P.No.4582 of 2025**

R.Prabakar

... Appellant

Vs.

1. The Chairman cum Managing Director,
TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.
2. The Assistant Executive Engineer,
TANGEDCO (O & M),
Angalakuruchi.
3. The Assistant Engineer (O & M),
Sethumadai (I/C),
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Pollachi.

... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 08.08.2024 in WP.No.22389 of 2024.

For Appellant

: Mr.S.Murugan



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JUDGMENT

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The intra-court appeal on hand has been instituted to assail the order dated 08.08.2024 in WP.No.22389 of 2024.

2. The issue raised in the writ proceedings is about theft of electricity.

3. Mr.S.Murugan, the learned Counsel appearing on behalf of the appellant would submit that the occupier of the premises is the visually impaired person. Therefore, there is no possibility of committing the alleged commission of offence of theft.

4. However, such a blanket statement cannot be adjudicated before the writ court, which is disputed, since the appellant is the owner of the premises. The writ court considered these aspect and in paragraph no.4 of the order impugned made a finding that the petitioner was granted with two electricity service connections for the purpose of irrigation, which was misused for commercial purpose. Upon inspection, the Enforcement Wing,



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Coimbatore came to know about the theft of electricity and having accepted the theft, the petitioner has paid the compounding fees in order to avoid criminal case. When a person has admitted his guilt and has paid the compounding fee, he cannot belatedly refuse to pay the consumptions charges levied by the second respondent.

5. If at all any grievance exist regarding the consumption charges to be paid, it is for the appellant to approach the competent Authority or prefer an appeal, if any, as contemplated under the provisions of the Act and Rules.

With the above observation, the Writ Appeal stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S,J.] [K.R.S,J.]

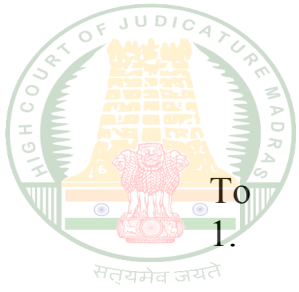
26.02.2025

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No



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To
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S.M.SUBRAMANIAM,J.
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