



W.P.No.8950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.8950 of 2025
and W.M.P.No.10059 of 2025

M/s.SVN AGRO REFINERIES,
REP. BY ITS PARTNER VN RAVI VARMA,
1/166 VENGAIVASAL MAIN ROAD,
SANTHOSHAPURAM,
CHENNAI – 600 073.

... Petitioner

Vs

1. THE CHAIRMAN,
TANGEDCO,
144, ANNA SALAI, CHENNAI - 600 002.
2. ASSISTANT AUDIT OFFICER,
AP 2/CHENNAI SOUTH REGION,
TANGEDCO AUDIT BRANCH,
144, ANNA SALAI, CHENNAI – 600 002.
3. THE ASSISTANT ENGINEER /O & M/MADAMBAKKAM,
CHENNAI ELCTRICITY DISTRIBUTION CIRCLE/SOUTH II,
TNPDC, 110/33/11 KV,
MADAMBAKKAM SS COMPLEX,
MADAMBAKKAM, CHENNAI - 600 126.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records in the proceedings having Audit Silp No.78 dated 30.10.2024 on the file of the second respondent and quash the same as erroneous, arbitrary, perverse and direct the respondent to refund the sum of Rs.1,50,578/- erroneously charged for the months of March and February 2022.



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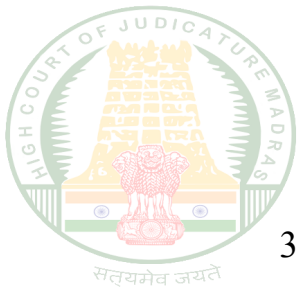
W.P.No.8950 of 2025

For Petitioner : Mr.R.P.Vijaya Krishnan
For R1 to R3 : Ms.M.S.Sindhuza
assisted by Mr.L.Jaivenkatesh

ORDER

The writ petition is filed calling for the records in the proceedings relating to the proceedings having Audit Silp No.78 dated 30.10.2024, on the file of the second respondent and quash the same as erroneous, arbitrary, perverse and direct the respondent to refund the sum of Rs.1,50,578/- erroneously charged for the months of March and February 2022.

2. By the impugned order, when the meter of the petitioner was not working from November 2021 onwards and was changed only on 29.03.2022, by taking average units, an assessment has been made and a sum of Rs.5,26,674/- is demanded from the petitioner. The petitioner is aggrieved of the order on several grounds which include that the factory was not running during the said period and the calculation that is made is also erroneous and the fact that the meter became non functional only from February and it is a guesswork that the respondents are making that the meter is not working from November. No opportunity whatsoever is given to the petitioner to put forth his version of the entire episode.



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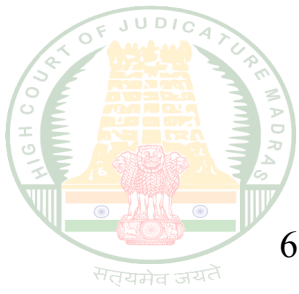
3. When the matter came up for admission, the learned Standing

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Counsel taking notice on behalf of the respondents 1 to 3 by producing the consumer Ledger, would submit that in this case, it is only the display of the meter that became faulty and it was replaced. However, by taking into account the back end consumption of the units, as per the Ledger, the average is calculated and levied. She would submit that in any event, the petitioner has got an alternative remedy of approaching the Consumer Grievance Redressal Forum of the respondent organization itself.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. This Court takes notice of the contention of the petitioner that his version was not heard while the entire matter is decided. At the same time, there is an efficacious alternative forum which can go into both the technical as well as the factual arguments that are made by the petitioner and decide the matter effectively. I am of the view that, in the meanwhile, the petitioner can pay 50% of the demand amount and in respect of the balance 50%, the sale shall remain stayed till the said forum decides the issue.



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6. This writ petition is disposed with the following terms:

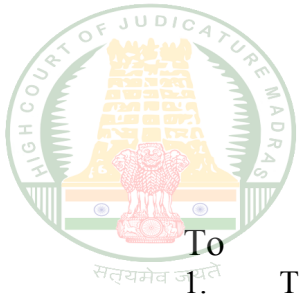
WEB COPY(i) Within a period of one week from the date of receipt of the web copy of the order and without waiting for the certified copy of the order, the petitioner shall make an application to the Consumer Grievance Redressal Forum, TANGEDCO, Chennai South, KK Nagar, Chennai – 600 078. As and when such an application is made, the said forum shall issue due notice to the petitioner as well as the concerned officers and decide the matter by objectively considering the objections that are put forth by the petitioner.

(ii) In the meanwhile, the petitioner shall deposit 50% of the demand amount being Rs.2,65,000/- within a period of 8 weeks from today and there shall be an interim stay in respect of the balance 50% of the amount till the disposal of the matter by the Grievance Redressal Forum. The regular CC Bills shall be continued to be paid by the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

19.03.2025

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Neutral Citation: Yes/No
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