



W.P.No.11120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11120 of 2025

and

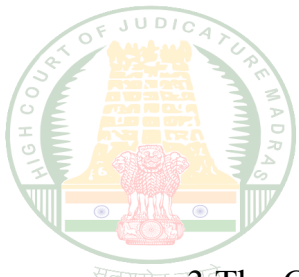
WMP.Nos.12548 & 12549 of 2025

M/s.Gobi Textiles Ltd
Rep.by its Managing Director
Sri.P.S.Muthuvelappan
G.D.Main Road
Kolappalur
Gobichettipalayam Taluk
Erode Dist 638 546

... Petitioner

Vs.

- 1.The Electricity Ombudsman
(Tamil Nadu Electricity Ombudsman
4th Floor, Sidco Corporate Office Building
Thiru.Vi.Ka.Industrial Estate
Guindy, Chennai 600 032.
- 2.The Consumer Grievance Redressal Forum
The Superintending Engineer
Gobi Electricity Distribution Circle,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO)
Gobichettipalayam 638 452.



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3.The Chairman, TANGEDCO
10th Floor, No.144, Anna Salai
Chennai 600 002.

4.The Deputy Financial Controller
TANGEDCO
Gobi (HT Section)
Gobi.

5.The Executive Engineer (O & M)
Gobi.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in Lr.No.TNEO/F.Omb.Gen.C.No.112/D.No.376/2025, and quash the proceeding dated 19.03.2025 passed therein.

For Petitioner : Mr.B.Raveendran

For Respondents : Mr.I.Syed Sibgathulla for R1 to R5
Standing Counsel
(TANGEDCO)

ORDER



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This Writ Petition is filed challenging the order dated 19.03.2025

passed by the Tamil Nadu Electricity Ombudsman. By the said the order, the appeal that is filed by the petitioner is rejected on the ground that it is beyond a period of 30 days.

2. The grievance of the petitioner is that the petitioner is incorrectly charged to pay a sum of Rs.2,16,990/-. The same relating to the charges for the period 2003 to 2010 and the demand is barred under Section 56 (2) of the Electricity Act. The petitioner made its grievance to the Grievance Redressal Forum which passed the order rejecting the claim of the petitioner as against which the petitioner has approached the Ombudsman.

3. Upon perusal of the records, it can be seen that even before the Ombudsman there is power to condone the delay and the petitioner could have filed an application to condone the delay also.

4. In view thereof, the petitioner need not be non suited on the ground of delay. After considering the grievance that is expressed by the



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learned counsel for the petitioner and the facts of the case, I am of the view that the delay in the instant case can be condoned and the appeal that is filed by the petitioner can be treated as being filed in time and the same can be considered by the Ombudsman on merits.

5. The learned counsel for the respondent Corporation would submit that in the meanwhile, if only the petitioner pays the entire arrears the connection can be restored.

6. In view of the fact that the petitioner has already deposited 25% of the claim amount at the time of filing of the appeal I am of the view that the petitioner can be directed to deposit another sum of 25% with the respondents and the connection can be restored and the Ombudsman can decide the matter on merits and thereafter the parties can work out the rights in respect of the balance of the amount.

7. In view thereof, this Writ Petition is disposed of on the following terms;



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(i) The impugned order dated 19.03.2025 passed by the first respondent shall stand set aside;

(ii) The appeal filed by the petitioner dated 17.03.2025 shall be treated as within time and the contention shall be considered on merits by the first respondent;

(iii) In the meanwhile, the petitioner shall deposit another 25% of the claim amount with the fourth respondent and upon deposit thereof, the respondents 3 to 5 shall restore the connection of the petitioner and the further payment will be dependent on the outcome of the order that will be passed by the first respondent. The petitioner shall refile/represent the entire case papers upon which the appeal of the petitioners shall be taken on file once again and shall be deemed to be filed on time and shall be considered on merits in accordance with law.

(iv) No costs. Consequently, connected Miscellaneous Petitions are closed.

26.03.2025



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Neutral Citation : No
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D.BHARATHA CHAKRAVARTHY, J.

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