



WEB COPY



W.P.No.23817 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23817 of 2023
and W.M.P.No.23336 of 2023

1.G.V.Subba Rao
2.K.Lakshmikanth

... Petitioners

Vs

1.Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO)
NPKKR Maaligai,
144, Maaligai,
Chennai-600 002.

2.Assistant Audit Officer/APS ,
Chennai Region South/BOAB,
Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO)
144, Anna Salai,
Chennai-600 002.

3.Assistant Executive Engineer (Execution and Maintenance)
Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO)
Maduranthakam.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari calling for the records relating to the demand notice issued by the 3rd Respondent *vide* U.Pi.Po/E & M/Na.No.85 of 2023 dated 01.08.2023 and quash the same.



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For Petitioner : Mr.Niranjana Rajagopalan
for M/s.G.R.Associates

For Respondents : Mr.L.Jaivenkatesh,
Standing Counsel for TNEB

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ORDER

Aggrieved by the demand notice issued by the 3rd respondent dated 01.08.2023, the petitioner is before this Court.

2. It is the case of the petitioners that the present impugned demand notice in respect of a restaurant being run on a Highway came to be issued by the 3rd respondent on 01.08.2025 arbitrarily assessing a sum of Rs.4,28,444/- towards the electricity consumption charges payable by the petitioners inspite of the fact that the said restaurant was temporarily closed during the COVID -19 lockdown period. Challenging the said demand notice, the petitioners have come up with the present Writ Petition.

3. Learned counsel appearing for the petitioners submitted that, while entertaining the Writ Petition, this Court granted an order of interim stay in favour of the petitioners subject to the petitioners depositing 25% of the demand amount which was duly complied with by the petitioners. He further submitted that, the impugned demand notice is wholly arbitrary and illegal as no opportunity of hearing was given to the petitioners prior to the said notice which is in violation of principles of natural justice. On the said solitary ground, the impugned demand notice is liable to be quashed.



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4. Learned Standing Counsel appearing for the respondents submitted that, as against the demand notice impugned herein, there is an effective remedy of appeal before the Consumer Grievance Redressal Forum. Without exhausting the said remedy, filing Writ Petition before this Court is not sustainable. Therefore, this Petition is liable to be dismissed as not maintainable.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. In view of the fact that, there is an alternate statutory remedy of appeal as against the demand notice impugned herein as also the fact that, the petitioner has already deposited 25% of the demand amount in compliance with the earlier direction of this Court, the petitioner is directed to deposit additional 25% of the demand amount within a period of four (4) weeks from the date of receipt of copy of this order. Upon such deposit, the petitioner shall, along with proof of such payment, file an appeal before the Consumer Grievance Redressal Forum within a period of two (2) weeks thereafter and on receipt of the same, the Consumer Grievance Redressal Forum shall consider and dispose of the appeal as expeditiously as possible. However, it is made clear that the interim stay already granted by this Court will operate till the final disposal of the appeal.



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7. Accordingly, this Writ Petition stands disposed of in the above terms.

There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs

To

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This petition has been listed under the caption “For being Mentioned” at the instance of Registry.

2. It was brought to the notice of this Court by Registry that, in the order dated 15.10.2025, in the prayer portion, the Demand Notice number has been wrongly typed due to inadvertence. Hence, the prayer portion of the said order shall stand replaced as under:-

“Prayer: *Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the demand notice issued by the 3rd Respondent vide U.Pi.Po/E & M/Na.Ma.Thu/Ko.A.No.85 of 2023 dated 01.08.2023 and quash the same”*

3. Registry is directed to carry out the necessary corrections in the aforesaid order and issue fresh order copy to the parties.

02.02.2026

Nhs



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Nhs

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02.02.2026