



W.P.No.337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HON'BLE Mr. JUSTICE N.ANAND VENKATESH

W.P.No.337 of 2025

and

W.M.P.No.381 of 2025

R.Praveen Kumar
S/o.T.A.Ramasubramani

Petitioner

Vs

1. The Assistant. Engineer (O & M)
TANGEDCO/KEDC
Town/Thiruvallur 602 001.

2.The Assistant Executive Engineer
O & M (South)/KEDC/TANGEDCO
Thiruvallur 602 001.

3.The Executive Engineer
O & M/KEDC, TANGEDCO,
Thiruvallur 602 001.

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari calling for the records pertaining to the proceedings in Letter bearing K.No.U.Po/E P/Na/Thiru/KPM-ATPS/ No.206/2024 dated 22.05.2024 on the file of the Assistant Engineer/O &M/ TANGEDCO, Town/Thiruvallur, quash the same.



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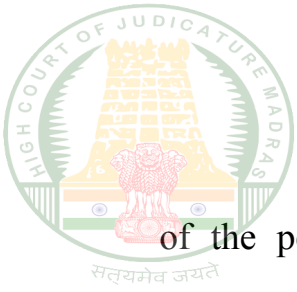
For Petitioner : Mr.R.Selvakumar
For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This writ petition has been filed challenging the impugned communication dated 22.05.2024 issued by the first calling upon the petitioner to pay an initial sum of Rs.4,72,403/- towards short billing of the consumption charges.

2. Heard Mr.R.Selvakumar, learned counsel for the petitioner and Mr.L.Jaivenkatesh, learned Standing Counsel for the respondents and perused the materials placed on record, apart from the pleadings of the parties.

3. The case of the petitioner is that he had leased the shop in favour of a tenant, who vacated the premises during August 2023. According to the petitioner, he had paid the entire electricity consumption charges till July 2023. Thereafter, the service connection was disconnected by the respondent and when the petitioner enquired, the petitioner was directed to pay a sum of Rs.52,995/-. This amount was paid by the petitioner during 18.07.2024. Even thereafter, the service connection was not restored. To the shock and surprise

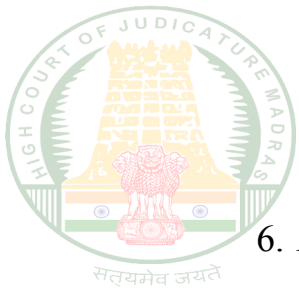


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of the petitioner, the impugned communication was sent to the petitioner stating that the petitioner has to pay a total sum of Rs.4,72,403/-. Aggrieved by the same, the present writ petition has been filed before this Court.

4. The second respondent has filed a counter-affidavit. The second respondent has taken a stand that the demand was made by explaining the short billing of the consumption charges of the disconnected service connection. According to the respondents, the actual meter reading was 84.905.7382 units and instead, the calculation was made for 43,600 units. The respondents have also taken a stand that an alternative remedy is available for the petitioner under Regulation 18 of the Electricity Supply Code, 2004, before the Consumer Grievance Redressal Forum. Accordingly, the respondents have sought for dismissal of this writ petition.

5. The learned counsel for the petitioner submitted that no amount is due and payable from the petitioner and that the petitioner is not able to lease out the property since the service connection has not been restored. It was further contended that such a demand was made by the first respondent without affording opportunity to the petitioner.



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6. *Per contra*, the learned Standing Counsel appearing on behalf of the respondents submitted that it is a case of short billing of the consumption charges and if at all the petitioner has any grievance, the petitioner can go only before the Consumer Grievance Redressal Forum and that the petitioner cannot directly approach this Court.

7. Considering the submissions made on either side and taking note of the grievance expressed by the petitioner, it would suffice if a conditional order is passed by directing the petitioner to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) without prejudice to the petitioner's right and on such deposit, the service connection can be directed to be restored temporarily. A time frame can also be fixed for the petitioner to approach the Consumer Grievance Redressal Forum. The balance amount payable by the petitioner shall be subject to the final decision taken by the Consumer Grievance Redressal Forum.

8. In the light of the above discussion, this writ petition is disposed on the following terms:-

- (a) the petitioner is directed to pay a sum of Rs.2,00,000/- to the second respondent without prejudice to the rights of the



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petitioner and on such payment, the service connection shall be

immediately restored;

(b) the petitioner shall file an appropriate application before the Consumer Grievance Redressal Forum within a period of two weeks from the date of receipt of a copy of this order;

(c) the Consumer Grievance Redressal Forum shall decide the dispute within a period of eight weeks from the date of filing of the application by the petitioner;

(d) the further payment to be made by the petitioner will be subject to the final decision to be taken by the Consumer Grievance Redressal Forum. If ultimately, the Consumer Grievance Redressal Forum determines the amount payable, the petitioner shall pay the said amount failing which the temporary service connection given to the petitioner shall be disconnected.

No costs. Consequently, connected miscellaneous petition is closed.

06.06.2025

Index: Yes/No

Internet: Yes/No

Speaking /Non-speaking order

Neutral Case Citation : Yes/No

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N.ANAND VENKATESH, J

Maya

To

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