



W.P(MD)No.11390 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.11390 of 2024

and

W.M.P(MD)No.10120 of 2024

Vivekananda Rock Memorial and Vivekananda Kendra
rep. by its Vice-President,
M.Hanumantarao
S/o Narasimamoorthi (late)
Kanyakumari – 629 702.

..Petitioner

Vs

- 1.The Chief Engineer (Distribution)
Tamil Nadu Electricity Board (TNEB)
Maharaja Nagar,
Tirunelveli – 627 011.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board (TNEB)
Kanyakumari Electricity Distribution Circle,
Nagarcoil.
- 3.The Junior Engineer (Distribution)
TANGEDCO, NCL,
Kanyakumari District,
Kanyakumari District – 629 702.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorari to call for the records
pertaining to the Impugned Order in
Lr.No.JE/D/KKI/TANGEDCO/F.LTC142-012-164/D.No.272/2024 Dt
14.05.2024 of the 3rd Respondent and quash the same.



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For Petitioner : Mr.J.Anandkumar
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorari to call for the records pertaining to the impugned order in Lr.No.JE/ D/KKI/TANGEDCO/F.LTC142-012-164/D.No.272/2024 dated 14.05.2024, passed by the third respondent, and to quash the same.

2. The petitioner Society is a registered society under the Societies Registration Act. The petitioner is the Vice-President of the said Society. The petitioner Society is a consumer of electricity supplied by the respondents and is partly powered through solar net-metering and partly through conventional electricity supply. It is not in dispute that the petitioner has been regularly paying electricity charges and holds Service Connection No. 142-012-164 with a sanctioned load of 111 KW. During the year 2020, the respondents raised a demand of Rs.1,47,78,223/-, alleging excess consumption on account of wrong meter readings. Challenging the same, the petitioner approached this Court in W.P.(MD)No.4337 of 2020, wherein this Court, by order dated 27.03.2023, set aside the said demand on the ground of violation of principles of natural justice and remitted the matter back to the third respondent for fresh consideration after affording



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opportunity to submit objections and a personal hearing. Pursuant to the said remand order, the third respondent issued proceedings dated 19.04.2023 demanding a revised sum of Rs.1,33,00,401/-. The petitioner submitted a detailed objection dated 18.05.2023, contending inter alia that, as per Regulation 11(2) of the Tamil Nadu Electricity Supply Code, 2004, no notice had been issued for exceeding maximum demand and that the excess demand was solely attributable to wrong readings admittedly committed by the officials of the respondents. The third respondent, by reply dated 07.06.2023, admitted that no notice had been generated for exceeding maximum demand and stated that the demand was raised after correction of wrong readings for the period from January 2017 to November 2019. The petitioner thereafter submitted a rejoinder dated 21.06.2023, reiterating that no penalty could be imposed for errors admittedly committed by the respondents themselves and sought waiver of maximum demand charges along with a personal hearing. However, without issuing any show cause notice or affording an opportunity of personal hearing, the third respondent passed the impugned order dated 14.05.2024, directing the petitioner to pay the very same amount of Rs.1,33,00,401/- within 15 days, failing which action would be taken under the provisions of the Supply Code.

3. Heard both sides and perused the records.



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4. A perusal of the impugned order clearly reveals that the same has been passed in total disregard of the directions issued by this Court in W.P. (MD)No.4337 of 2020 dated 27.03.2023. The impugned order neither reflects consideration of the petitioner's objections nor discloses that any enquiry or personal hearing was conducted. This Court is therefore of the considered view that the impugned order suffers from violation of the principles of natural justice, non-compliance with the binding directions of this Court, and lack of application of mind. The demand appears to have been raised in a mechanical manner without proper adjudication of the objections raised by the petitioner.

5. Accordingly, the writ petition is allowed, and the impugned order dated 14.05.2024 is set aside. The second respondent is directed to consider the petitioner's objection dated 18.05.2023 and the reply of the third respondent dated 07.06.2023, after issuing notice to the petitioner and affording an opportunity of personal hearing, and thereafter pass a reasoned and speaking order, justifying the demand, if any, in accordance with law. The above exercise shall be completed within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

21.11.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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P.T.ASHA, J.

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