



W.P.(MD)No.13144 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13144 of 2025

and

WMP (MD) No.9390 of 2025

K.A.Gopinath

: Petitioner

Vs.

1. The Chairman Cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Limited,
TANGEDCO, 6th Floor,
TANTRANSCO Building,
114, Anna Salai, Chennai - 600 002.

2. The Superintending Engineer,,
Consumer Grievance Redressal Forum
Madurai EDC,
TANGEDCO, (Formerly TNEB),
K. Pudur, Madurai - 625 007.

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Metro Circle,
Karuppayoorani, Madurai - 625 020.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus or any other appropriate Writ or order or Direction, in the nature of Writ, calling for



W.P.(MD)No.13144 of 2025

the records pertaining to the 3rd respondents impugned demand slip Nil proceedings number, and Nil seal and to quash the same as illegal and directing the 2nd Respondent to instruct the 3rd Respondent to refund the Extra Levy amount of Rs.28,127/- paid on 11.03.2025 by the Petitioner or the same may be adjusted in the Petitioner future period of electricity consumption charges.

For Petitioner : Mr.T.R.Subramanian

For Respondents : Mr.S.Deenadhayalan

Standing Counsel

ORDER

The present Writ Petition has been filed challenging the impugned demand slip issued by the third respondent and seeking a direction to the second respondent to instruct the third respondent to refund the excess levy amount of Rs.28,127/- paid by the petitioner on 11.03.2025, or in the alternative, to adjust the said amount against the petitioner's future electricity consumption charges

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD)No.13144 of 2025

WEB COPY

3. The petitioner claims to be the owner of the property mentioned in the petition, where his uncle, Ramesh, is running a grocery shop. The petitioner asserts that he submitted an online application to the third respondent on 02.04.2024, along with the requisite fees, seeking conversion of the electricity service from domestic to commercial tariff. However, on 09.03.2025, a flying squad inspected the premises, imposed an extra levy of Rs.28,127/- for unauthorized usage and disconnected the service connection. The connection was subsequently restored after payment of the levy amount. The petitioner contends that despite his application having been submitted well in advance, the third respondent failed to act upon it, leading to the imposition of the extra levy. He submitted a representation dated 16.04.2025 to the third respondent, requesting either a refund of the levy or adjustment of the amount in future electricity consumption charges. As no action has been taken, the petitioner has filed the present Writ Petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the third respondent to consider the representation of the petitioner and pass appropriate orders,



W.P.(MD)No.13144 of 2025

within a time frame that may be stipulated by this court.

WEB COPY

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation dated 16.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of six weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open



W.P.(MD)No.13144 of 2025

to the third respondent to consider the same on its own merits.

WEB COPY

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

29.04.2025

Index : Yes / No

Internet : Yes / No

PKN

To

1. The Chairman Cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Limited,
TANGEDCO, 6th Floor,
TANTRANSCO Building,
114, Anna Salai, Chennai - 600 002.

2. The Superintending Engineer,,
Consumer Grievance Redressal Forum
Madurai EDC,
TANGEDCO, (Formerly TNEB),
K. Pudur, Madurai - 625 007.

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Metro Circle,
Karuppayoorani, Madurai - 625 020.



WEB COPY



W.P.(MD)No.13144 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.13144 of 2025

29.04.2025