



W.P.(MD) No.3396 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.3396 of 2018

K.S.Ramasubramanian (Died)

1.Anusuya

2.Sudhakar

.. Petitioners

*(P1 & P2 are impleaded vide Court order dated 17.09.2025 in
W.M.P(MD)No.4322 of 2024)*

Vs.

1.The Chairman,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Chennai.

2.The Executive Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Rajapalayam Town East,
Rajapalayam.

3.The Executive Engineer (Distribution),
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Rajapalayam Town.



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4. The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Virudhunagar.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to refund the excess amount of Rs.1,36,133 collected for the petitioner's service Number 07-280-018-42 with interest by considering the petitioner's representation dated 09/03/2015, 08/12/2015 & 01/06/2016.

For Petitioner : Mr.S.Kadarkarai

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition is filed seeking a mandamus to the respondents to refund the excess amount of Rs.1,36,133/- collected for the petitioner's service Number 07-280-018-42 with interest by considering the petitioner's representation dated 09/03/2015, 08/12/2015 & 01/06/2016.

2. The petitioner would submit that he is the partner of M/s. Vijayalakshmi Oil Mill situated in D.No.65 & 66 of Alagai Nagar,



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Rajapalayam bearing service no.07-280-018-42. The same was leased out to one Joseph Cruz Jeyaraj for running a factory for manufacturing plastic articles for a period of three years from 01.05.2007. Further it was extended for one more year from 01.05.2010. During the said period, the lessee had defaulted in payment of rental and electricity charges. Even after the expiry of the renewed lease period i.e., 30.04.2011, the lessee did not vacate and handover the possession. Since he failed to remit the EB charges for several months, the power connection was disconnected from November 2011 to March 2012. The petitioner had remitted all the outstanding arrears. The petitioner would submit that even during the four months period of power disconnection, the lessee did not do any manufacturing process and no electrical equipment/machineries were in operation. Therefore, the petitioner sent a representation to the respondents 2 to 4. Based on the inspection report, the petitioner was permitted to pay the minimum charges.

3. The 2nd respondent by his oral communication dated 22.09.2014 directed the petitioner to remit an amount of Rs.1,36,133/- as additional



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deposit for retaining the power connection. However, no prior notice has been issued before this demand. The authorities insisted that unless the above amount was remitted by the petitioner forthwith, further recovery would not be permitted. Therefore, the petitioner had paid the said amount in instalments. Thereafter, the petitioner came to learn that the above said amount was not towards additional deposit, but it was relatable to the short levy of average assessment for the period from November 2011 to December 2012, in which the meter was defective. Therefore, the petitioner sent a representations on 09.03.2015, 08.12.2015 and 01.06.2016 requesting to refund the said amount. Seeking a direction to the respondents to consider the above representations, the petitioner is before this Court.

4. Without going into the merits of the case, this Court directs the respondents to consider the petitioner's representations dated 09.03.2015, 08.12.2015 and 01.06.2016 and pass orders, in accordance with law, within a period of one month from the date of receipt of copy of this order, after giving him an opportunity of personal hearing.



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P.T.ASHA, J.

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17.09.2025