



W.P(MD)No.18919 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.18919 of 2018
and W.M.P(MD).No.16758 of 2018

VS.R.Shanmugam

... Petitioner

Vs

1.The Chief Engineer (Distribution),
TANGEDCO,
Madurai Region,
K Pudur, Madurai 625 007.

2.The Assistant Executive Engineer,
Town/ TANGEDCO,
Oddanchatram 624 619
Dindigul District.

3.The Assistant Engineer,
Town/ TANGEDCO,
Oddanchatram-624 619
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Ka.No.Oo.Se.Po/Nagar/Osam/Ko.Vee.Maa/A.No.104/2018 dated 13.08.2018 on the file of the second respondent and quash the same as illegal and



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consequently to direct the respondents to provide change of tariff from Tariff VI to Tariff V of service connection No.05-261-006-965 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The writ petition has been filed to quash the impugned order in Ka.No.Oo.Se.Po/Nagar/Osam/Ko.Vee.Maa/A.No.104/2018 dated 13.08.2018 on the file of the second respondent and consequential direction to the respondents to provide change of tariff from Tariff VI to Tariff V of service connection No.05-261-006-965 within the time stipulated by this Court.

2. It is the case of the petitioner that he has sent a representation on 01.12.2017 along with the form of change of tariff from tariff VI to tariff V in respect of service connection No.05-261-006-965. However, the same has not been considered for a long time and thereafter, pursuant to the order of this Court made in W.P(MD).No.15820 of 2018, the second respondent has rejected the petitioner's claim vide impugned order dated 13.08.2018. Challenging the same, the petitioner has filed the present writ petition.



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3. The learned counsel for the petitioner would submit that the impugned order has been passed on two grounds:

- (i) W.P(MD).No.4337 of 2017 is pending; and
- (ii) Penalty of Rs.60,183/- has not been paid.

4. As regards the first ground, it is the contention of the petitioner that W.P(MD).No.4337 of 2017 came to be disposed of by this Court with the following direction :

“.....

3. Following the interim direction given by this Court, the electricity supply has since been restored. It appears that the respondents have made some demands on the writ petitioner. If that be so, it is always open to the respondents to formally serve the order to the petitioner after complying with the principles of natural justice and also enforce the same in accordance with law. Since the petition mentioned electricity connection has already been restored, this writ petition stands disposed of with the aforesaid liberty to the respondents to proceed in the manner known to law. No costs. “

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



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6. Considering the fact that in W.P(MD).No.4337 of 2017 the learned Judge has observed that the demand of penalty can be made only after complying with the principles of natural justice, this Writ Petition is partly allowed quashing the impugned demand order. Insofar as the demand of penalty is concerned, the matter is remitted back to the Assistant Executive Engineer/second respondent herein, who shall consider afresh regarding demand of penalty, after issuing notice to the petitioner, receiving his objections and giving him a personal hearing and pass orders. The said exercise shall be completed within period of two months from the date of receipt of a copy of this order. Thereafter, the request for reclassification of tariff shall be considered. No costs. Consequently, connected Miscellaneous Petition is closed.

27.10.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk



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P.T.ASHA, J.

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