



W.P.(MD) No.17358 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.17358 of 2017

and

W.M.P(MD)No.13895 of 2017

N.Sankar

.. Petitioner

Vs.

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

2.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Sivagangai.

3.The Assistant Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Karaikudi.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records of the 3rd respondent in AEE/T/KDI/CI/FT/D.No.665/17 dated 26.08.2017 (assessment order demanding electricity consumption charges under commercial tariff instead of domestic tariff in connection No. 05-401-010-2433) and quash the same.



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For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition is filed for the following relief :

“to call for the records of the 3rd respondent in AEE/T/KDI/CI/FT/D.No.665/17 dated 26.08.2017 (assessment order demanding electricity consumption charges under commercial tariff instead of domestic tariff in connection No.05-401-010-2433) and quash the same.”

2. The petitioner who is a practicing advocate had challenged the demand of electricity consumption charges under commercial tariff instead of domestic imposed on the premise in which he was running his office. It is the case that he had purchased 1/4th share in the property in No.26, First Street, Muthupattinam, Karaikudi on 15.05.2000 and the other three shares were purchased by one N.Manikandan, N.Sugumar and M.P.Sriram. They have been utilizing the portions for residential use to various persons. Each unit has a separate dwelling area and in one such



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dwelling area, the petitioner is running his office. The petitioner would submit that he has two electricity connections for the two portions under domestic service category.

3. On 22.08.2017, the 3rd respondent along with some of his officials had visited the building and issued inspection notes stating that the domestic service was being used in respect of Advocate office and threatening to disconnect the service immediately. The petitioner's attempts to convince the respondents that the activity was not commercial did not yield the desired result. They had demanded a sum of Rs.20,158/- to avoid immediate disconnection. Without prejudice, the said amount was also paid. Therefore, the petitioner is before this Court stating that the line of judgments would show that the office of the Lawyer's firm is not a commercial establishment. Therefore, the levy of electricity charges should be only on domestic tariff.

4. The learned counsel appearing for the petitioner would also submit his oral arguments on the same lines.



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5. Per contra, the learned Standing Counsel appearing on behalf of the respondents would submit that the entire property is being run as an Advocate office and no portion is reserved for domestic use. He would also produced the judgment of this Court in W.P.No.23666 of 2019, dated 08.07.2022, where the learned Judge after referring to the various judgments had observed that where the premise is being used entirely for an office, then Tariff – IV would apply.

6. Heard the learned counsels on either side.

7. In the judgment relied upon by the learned Standing Counsel for the respondents, the learned Judge had observed that the petitioner therein was not residing in the premises and therefore, the contention of the petitioner that only Tariff I-A should be applied is totally misconceived. The learned Judge had also observed that as and when the property is reverted to residential use, then Tariff shall be reverted to Tariff I-A. If it is shown that the entire extent is used for office purpose,



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then the levy should be on the basis of LT-IV.

8. The learned Standing Counsel for the respondents would submit that as on 17.01.2025, there is an arrears of Rs.97,094/- and thereafter, charges for eight months are still due.

9. The learned counsel for the petitioner request that the petitioner may be permitted to pay the same in 3 monthly instalments without interest.

10. In view of the judgment above cited, the relief claimed by the petitioner for treating the service as one for domestic use cannot be granted. However, taking note of the submission of the petitioner seeking permission to pay the arrears in instalments, the following direction permitting the petitioner to pay the arrears amount, without interest, in three equated monthly instalments starting from October 2025 is granted.



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11. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

15.09.2025

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

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P.T.ASHA, J.

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