



W.P.(MD)No.29301 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.29301 of 2024

ARL. Kubburaja

... Petitioner

-VS-

- 1.The Chief Engineer,
Tamil Nadu Electricity Board,
Trichy District.
- 2.The Supervising Engineer,
Tamil Nadu Electricity Board,
Pudukottai District.
- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
Aranthangi,
Pudukottai District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board, Karur,
Pudukottai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Electricity bill which levied the period of 25.10.2024 to 18.11.2024 as Rs.3,33,868/- in connection with Service No.06155015410 issued by the fourth respondent and quash the same as illegal and consequently, directing the



W.P.(MD)No.29301 of 2024

respondents 1 to 4 to refix the Electricity bill period of 25.10.2024 to 18.11.2024 within the time stipulated by this Court.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking to quash the impugned Electricity bill which levied Rs.3,33,868/- for the period from 25.10.2024 to 18.11.2024 in connection with Service No.06155015410, issued by the fourth respondent and consequently, to direct the respondents to refix the Electricity bill for the above said period.

2. Heard both sides.

3. The petitioner submits that he is engaged in the prawn farming business in Adambur Village, Pudukottai District and has been provided with an electricity connection by the fourth respondent under Service No.06155015410. The petitioner has regularly paid electricity charges without any default. However, on 18.11.2024, the petitioner received a message from TANGEDCO stating that an



W.P.(MD)No.29301 of 2024

electricity bill of Rs.3,33,868/- had been generated for the period from 25.10.2024 to 18.11.2024. The message also mentioned that the last due date for payment was 14.11.2024, but the petitioner had only received the message after the due date, causing shock and confusion. Upon receiving the message, the petitioner visited the office of the fourth respondent on 19.11.2024 to seek clarification. The petitioner explained that the bill amount appeared to be erroneous, as it was calculated based on an alleged consumption of 38,805 units, which was far higher than his usual electricity consumption since obtaining the connection.

4. The petitioner later came to know through the online portal that his energy meter was defective. If the meter was defective, the respondents could not have accurately calculated his electricity consumption. This raises serious doubts about the arbitrary and unreasonable generation of the bill without proper verification.

5. The petitioner further submits that the respondents failed to notify him about the defective meter in a timely manner and did not take the necessary steps



W.P.(MD)No.29301 of 2024

to replace it. Instead, they hastily generated an inflated bill based on erroneous calculations, thereby forcing him to pay an unjustified amount of Rs.3,33,868/-.

6. The learned Standing Counsel appearing for the respondents submits that the petitioner, aggrieved by the impugned demand notice, has a statutory appellate remedy available under Regulation 11(7) of the Tamil Nadu Electricity Supply Code, 2004, which reads as follows:-

"(7) In case the consumer does not agree with the assessment made by the Engineer or the higher level officer, as the case may be, the matter may be referred to the next higher level officer of the licensee. In case the consumer is still not satisfied, the consumer is at liberty to approach the respective Consumer Grievance Redressal Forum of the licensee."

7. Hence, according to the learned Standing Counsel, the only remedy available to the petitioner is to approach the Assistant Executive Engineer, if aggrieved by the impugned demand notice. According to the learned Standing Counsel, without approaching the said authority, the petitioner has wrongly approached this Court under Article 226 of the Constitution of India.



W.P.(MD)No.29301 of 2024

WEB COPY

8. This Court after considering the rival submissions, is of the considered view that the petitioner will have to necessarily preferred an appeal as prescribed under Regulation 11(7) of the Tamil Nadu Electricity Supply Code, 2004, if aggrieved by the impugned demand notice.

9. For the foregoing reasons, the petitioner is directed to prefer an appeal as against the impugned demand notice before the Assistant Executive Engineer as per the Regulation 11(7) of the Tamil Nadu Electricity Supply Code, 2004, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the Assistant Executive Engineer, shall dispose of the appeal within a period of four weeks, thereafter.

10. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

05.02.2025



W.P.(MD)No.29301 of 2024

WEB COPY

To:-

- 1.The Chief Engineer,
Tamil Nadu Electricity Board,
Trichy District.
- 2.The Supervising Engineer,
Tamil Nadu Electricity Board,
Pudukottai District.
- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
Aranthangi,
Pudukottai District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board, Karur,
Pudukottai District.



WEB COPY



W.P.(MD)No.29301 of 2024

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.29301 of 2024

05.02.2025