



WEB COPY

WP No. 1735 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 1735 of 2026

and

WMP No. 1817 OF 2026

Periyasamy
S/o.Ramasamy
Rasipalli Village, Achamangalam Post
Bargur Taluk, Krishnagiri District - 635108.

..Petitioner(s)

Vs

1. The Superintending Engineer
Krishnagiri Electricity Distribution Circle,
Tamil Nadu Electricity Generation and
Distribution Corporation
Krishnagiri – 635 001.
2. The Assistant Engineer
Operation and Maintenance,
TANGEDCO, Barugur-SIDCO, Bargur,
Krishnagiri District – 635 104.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order of the 1st respondent herein namely Superintending Engineer, Krishnagiri Electricity Distribution Circle, Tamil Nadu Electricity Generation and Distribution Corporation, Krishnagiri - 635 001 in reference Ka. No. May. Po / Ki. MipaVa / Ki. Giri / Pothu / Se.Po / U .Se .Po / Upo.2 / Ko. APTSCC / No. 79/19-20 dated 18.02.2020 and to quash the same.



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For Petitioner(s):

Mr.V.Nicholas

For Respondent(s):

Mr.D.R.Arun Kumar

Standing Counsel for R1 & R2

ORDER

The above writ petition has been filed for the following relief :

“ To issue a Writ of Certiorari calling for the records relating to the order of the 1st respondent herein namely Superintending Engineer, Krishnagiri Electricity Distribution Circle, Tamil Nadu Electricity Generation and Distribution Corporation, Krishnagiri - 635 001 in reference Ka. No. May. Po / Ki. MipaVa / Ki. Giri / Pothu / Se.Po / U .Se .Po / Upo.2 / Ko. APTSCC / No. 79/19-20 dated 18.02.2020 and to quash the same.”

2. The factual matrix is as follows :

(a) The petitioner is the owner of an extent of 2.20.00 hectares (5.43 acres) in S.Nos.305/1A, 305/1B3, 305/1C, 305/1E, 305/1G, 252/1D, 252/1H, Achamangalam Village, Krishnagiri Taluk and District. In the year 2012, he had raised ragi, paddy and tomato and also planted mango saplings in the aforesaid lands. The petitioner drew water from the bore well through a channel for irrigating the crops and mango saplings using the pump-set connected in SC.43/IV.

(b) Since the channel was in damaged condition and the water in the bore



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well was insufficient, the petitioner decided to use his tractor for transporting water to irrigate the crops and mango saplings cultivated in his lands.

(c) On 27.06.2012 at about 11.10 a.m., when the petitioner was filling up water in the tractor, the Assistant Executive Engineer (O & M), Tamil Nadu Electricity Board, Mathur, Pochampalli Taluk along with the Executive Engineer (Vigilance) and the Assistant Engineer (O & M), Jagadevi, inspected the lands and informed the petitioner that he was using the electricity service connection to sell water instead of using it for agricultural purposes. The authorities had demanded the petitioner to pay a sum of Rs.24,000/- for compounding offence under Section 135 of the Electricity Act, 2003. The petitioner had paid the said sum. However, after receiving the sum, the respondent had disconnected the electricity service connection.

(d) Thereafter, the Additional Executive Engineer [O & M], Mathur, issued an additional assessment list, requiring him to pay a sum of Rs.2,87,718/-, to which the petitioner had submitted his explanation on 07.07.2012. However, the final assessment order dated 28.08.2012 under Section 135 of the Tamil Nadu Electricity Act, 2003 was passed by the respondents, confirming the additional assessment list and demanding the petitioner to pay the said sum.

(e) The petitioner had challenged the final assessment order by filing an



documents relating to the charges framed against him.

- (i) The petitioner would submit that the documents required by him was furnished by the respondents on 18.02.2020. However, on the same day, the first respondent had passed the impugned order, directing the petitioner to pay a sum of Rs.2,15,795/-.

Hence, the petitioner is before this Court to quash the same.

3. The learned counsel appearing for the petitioner would contend that the amount assessed in the order of respondent is without any basis and materials. His further contention is that based on his request, the documents were furnished to him, but without providing him an opportunity to peruse the documents to enable him to putforth his case and to submit his objections, the impugned order came to be passed rejecting his claim, is in violation of principles of natural justice. Hence, the impugned order is liable to be quashed.

4. Heard the learned counsel on either side and also perused the materials placed before this Court.

5. The petitioner who suffered the order of the first respondent as early as on 18.02.2020, has not taken steps to challenge the same, and after a period of over six years, he has filed the instant writ petition. There is absolutely no reason given by the petitioner for the delay. It is also evident from the earlier



petitions filed before this Court that the petitioner is aware of his remedy, therefore, he cannot feign ignorance. The second respondent vide his letter dated 18.11.2022, had demanded the petitioner to pay a sum of Rs.1,07,897/- and the petitioner was put on notice stating if there is omission on his part in paying the said amount within a period of 15 days, then the respondents would proceed to take action as per the Rules and Regulations. This apart, on 12.04.2024 also, the second respondent had reminded the petitioner and also insisted him to pay a sum of Rs.1,07,897/-. Even after receipt of the notices in the year 2022 and 2024, the petitioner has not come to the Court immediately. Therefore, the petitioner who has not chosen to assert his rights at the earliest point in time, cannot now knock at the doors of this Court and that too without giving any reasons for not having approached the Court earlier.

6. With the above observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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P.T.ASHA J.

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