

Rajasekaran A Vs The Superintendent Engineer

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Court : Chennai

Decided On : Apr-02-2026

Judge : Honourable Mr.Justice Hemant Chandangoudar

Appeal No. : WP(MD)/8968/2026

Appellant : Rajasekaran A

Respondent : The Superintendent Engineer

Judgement :

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT DATED:
02.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR
W.P.(MD)No.8968 of 2026 and W.M.P.(MD)Nos.7195 & 7196 of 2026
A.Rajasekaran ... Petitioner Vs. 1.The Superintendent Engineer
Electricity Distribution Circle, Parvathipuram, Nagercoil - 629 003.
2.Assistant Executive Engineer Distribution, TNPDC, Kanyakumari.
3.Junior Engineer Electricity Department, Kottaram, Kanyakumari District
- 629 703. ... Respondents PRAYER: Writ Petition filed under Article 226
of the Constitution of India for issuance of Writ of Certiorarified

Mandamus calling for the

records relating to the impugned notice dated 09.03.2026 issued by the respondents demanding a sum of Rs.1,78,200/- and quash the same and consequently direct the respondents not to disconnect the petitioners Agricultural Commercial and Domestic electricity service connections bearing Meter Nos.1486571, 5177802 and 4785402 respectively except by following due process of law after issuing proper notice conducting fair enquiry and affording sufficient opportunity to the petitioner.

For Petitioner : Mr.Ananth For Respondents : Mr.S.Deenadhayan,
Standing counsel *****

ORDER

The petitioner challenges the provisional assessment order

dated 09.03.2026 issued by the second respondent. In the said order, it is alleged that the petitioner, who was sanctioned a free agricultural service connection, has utilised the same for commercial purposes, namely, running a nursery garden.

2. The petitioner contends that there has been no misuse of the

free agricultural service connection. It is further stated that, during the spot inspection, a report was prepared and the petitioner was coerced into paying compounding charges. The petitioner also submits that, without considering the explanation to be submitted by him, the second respondent has forcibly disconnected the power supply.

3. The learned Standing Counsel for the respondents submits

that, upon inspection, it was found that the petitioner had committed theft of electricity by using the free agricultural service connection for commercial purposes and, therefore, the second respondent was justified in disconnecting the service connection.

4. A perusal of the provisional assessment order shows that

liberty has been granted to the petitioner to submit his explanation along with relevant documents to establish that there was no misuse of the service connection. The second respondent ought to have awaited such explanation, considered the same, and passed appropriate orders in accordance with law before proceeding to disconnect the power supply, if

the explanation was found unsatisfactory. Admittedly, such procedure has not been followed by the second respondent.

5. In view of the above, this writ petition is allowed. The

petitioner is permitted to submit his explanation to the provisional assessment order dated 09.03.2026 within a period of one (1) week from the date of receipt of a copy of this order. Upon receipt of such explanation, the second respondent shall consider the same on its own merits and pass a final assessment order in accordance with law within a period of two (2) weeks thereafter. Till such exercise is completed, the second respondent is directed to restore the power supply to the petitioners land. No costs. Consequently, connected miscellaneous petitions are closed.

02.04.2026 Index :Yes / No NCC :Yes / No rm To 1.The Superintendent Engineer Electricity Distribution Circle, Parvathipuram, Nagercoil - 629 003. 2.Assistant Executive Engineer Distribution, TNPDC, Kanyakumari. 3.Junior Engineer Electricity Department, Kottaram, Kanyakumari District - 629 703.

HEMANT CHANDANGOUDAR, J.

rm W.P.(MD)No.8968 of 2026 02.04.2026

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