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KUALA LUMPUR: A wood processing company has been ordered by the court to pay RM476,124.65 in damages to Tenaga Nasional Bhd (TNB) over meter tampering.

Klang Sessions court judge Mohd Sabri Ismail handed down the judgment after allowing the suit filed by the electricity utility company against the defendant, Top Status KD Sdn Bhd.

In his grounds of judgment dated March 18, Mohd Sabri rejected the defendant's argument that the sharp drop in electricity consumption was due to the closure of factory operations during the Movement Control

Order (MCO) following the Covid-19 pandemic.

The court noted that the loss period began on Dec 31, 2019, while the MCO only came into force on March 18, 2020.

"The defendant failed to explain the actual cause of the significant drop in electricity consumption during the disputed period from Dec 31, 2019 to Oct 31, 2020, and also failed to prove the existence of any manifest error in the plaintiff's claim.

"The defendant's witness testimony did not raise any doubt regarding the method of calculation or the accuracy of the statement.

"The testimony was merely a bare denial and did not discharge the burden of proof to rebut the plaintiff's (TNB) claim," he said, Bernama reported.

The judge further said that Sections 38(3), (4) and (5) of the Electricity Supply Act 1990 provide for TNB's right to claim loss of revenue through civil proceedings once the offence of meter tampering is established under Section 37 of the same Act.

The judge said that on Oct 30, 2020, TNB personnel conducted an inspection of the meter installation at the defendant's premises in Port Klang, Selangor, and discovered evidence of tampering.

The tampering included missing terminal seals and an additional circuit enabling remote control of the red and yellow phase voltage circuits through wiring between the Current Transformer coil and fuse.

According to the judgment, TNB calculated its loss of revenue and operating costs at RM476,124.65 before seeking to recover the amount from the defendant.

The defendant, it said, denied any knowledge of the tampering and maintained that the reduced electricity consumption was due to a decline in its business operations during the period in question.