

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09..03..2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.14216 of 1997

M/s.Chamundi Steel Rerolling Mills Pvt. Ltd.,
represented by its Director
7th Mile, Hosur Road,
Madiwala Post,
Bangalore 560 068.

.. Petitioner

versus

1.Tamil Nadu Electricity Board
represented by its Chairman
800, Anna Salai, Madras 600 002.

2.Superintending Engineer
Dharmapuri E.D. Circle
Dharmapuri 5.

3.Superintending Engineer
I.E.M..C.,
T.N.E.B.,
800, Annasalai,
Madras 600002.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a writ of Mandamus, directing the
respondents to consider all the materials placed by the petitioner
including the promises and confirmatory orders of the respondents and
grant Tariff concession to the petitioner for the entire sanctioned
demand of 4400 KVA.

For Petitioner ::: Mr.K.Jayachandran

For Respondents ::: Mr.Varun Kumar for R.1 and R.2
No appearance for R.3

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

Learned counsel for the petitioner submits that the relief is confined to the second respondent examining the material which has been placed on record and in view thereof, to grant tariff concession to the petitioner for the entire sanctioned demand of 4,400 KVA and not to confine it to sanction of 2250 KVA. There are stated to be interim orders enuring to the benefit of the petitioner.

2. The stand of the respondents is that the petitioner had claimed to make full utilisation of the tariff concession already sanctioned to them and decided to avail a separate new service for the second furnace for which fresh sanction was accorded on 16.08.1994. Hence, the petitioner became ineligible for the tariff concession as per G.O.dated 31.01.1995.

3. Interim orders were passed on 17.09.1997 and confirmed on 01.09.2003, restraining recovery of the differential amount. In view of the limited nature of relief prayed for, the second respondent to take a reasoned decision in this matter after hearing the petitioner, within two months of the receipt of this order.

The writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

Copy to:

1. The Chairman, Tamil Nadu Electricity Board,
Anna Salai, Madras 600 002.
2. Superintending Engineer,
Dharmapuri E.D. Circle, Dharmapuri 5.
3. Superintending Engineer, I.E.M..C., T.N.E.B., 800,
Annasalai, Madras 600002.

+ 1 cc to Mr.M.Varunkumar, Advocate SR.13129

+ 1 cc to Mr.K. Seshadri, Advocate SR.13021

SAI (CO)

EU 19.03.2015

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