

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29-09-2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.5149 of 2012

M/s.SRF Limited
Rep. by its Vice President Operations
Manali Industrial Area
Manali, Chennai-600 068.

... Petitioner

Versus

1. State of Tamil Nadu
Rep. by the Secretary to Government,
Industries Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. TANGEDCO
Rep. by its Chairman & Managing Director,
144, Anna Salai, Chennai-02.
3. The Director,
Chief Electrical Inspector to Govt. of Tamil Nadu,
Thiru Vi Ka Industrial Estate,
Guindy, Chennai-32.
4. The Electrical Inspector,
Chennai,
Thiru Vi Ka Industrial Estate,
Guindy, Chennai-32.

... Respondents

Prayer: Writ Petition is filed to issue a Writ of declaration, declaring that Tamil Nadu Tax on Consumption or Sale of Electricity (Amendment) Act 2007 (Act 38 of 2007) as unconstitutional.

For petitioner : Mr.Satish Parasaran
For respondents : Mr.P.Karthikeyan
Government Advocate (R1)
Mr.P.R.Dhilip Kumar (R2)
Mr.G.Vasudevan (R3 & R4)

ORDER

Heard the learned counsels appearing on behalf of the parties concerned. There is no appearance on behalf of the fifth respondent.

2. At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioner had submitted that the validity of Act 38 of 2007, had been upheld by a Division Bench of this Court, in W.P.No.159 of 2008. The said order had been challenged before the Supreme Court, by way of a Special Leave Petition and the matter is still pending on the file of the Supreme Court.

3. The learned counsels appearing on behalf of the respondents had not refuted the said submissions made by the learned counsel appearing on behalf of the petitioner.

4. In such circumstances, the present Writ Petition stands dismissed, in view of the order of the Division Bench of this Court, in W.P.No.159 of 2008. No costs. Consequently, connected miscellaneous petition in M.P.No.1 of 2012 is closed.

Sd/-
Assistant Registrar(Records)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

csh

To

1.The Secretary to Government,
Industries Department,
Secretariat, Fort St.George,
Chennai-600 009.

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2.The Chairman & Managing Director,
TANGEDCO
144, Anna Salai, Chennai-02.

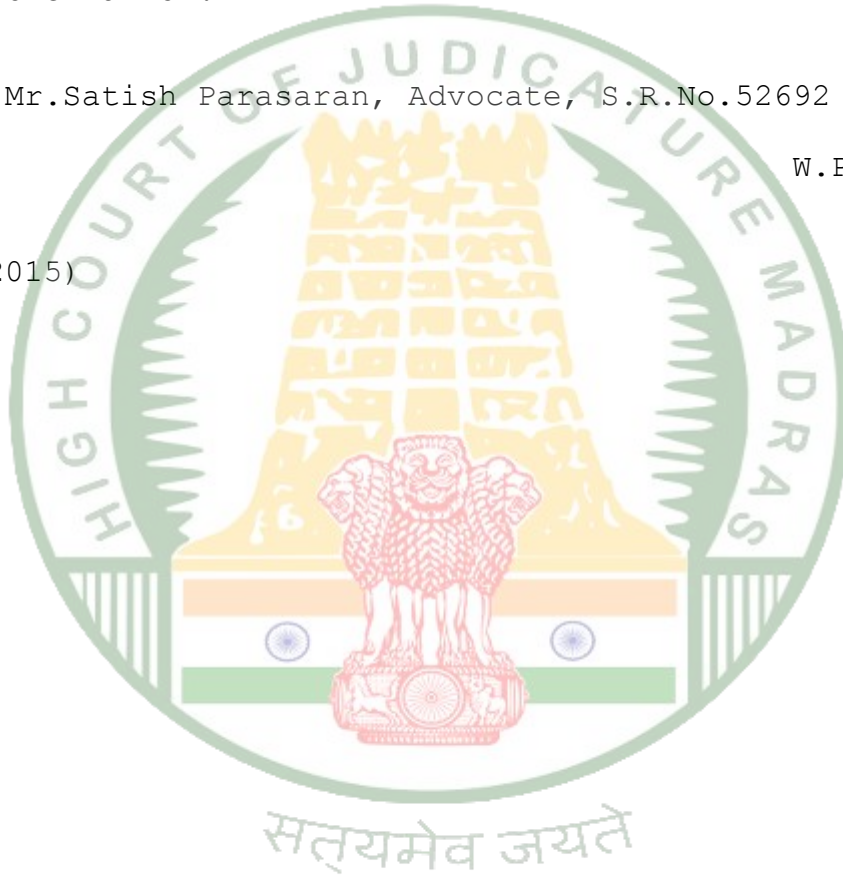
3.The Director,
Chief Electrical Inspector to Govt. of Tamil Nadu,
Thiru Vi Ka Industrial Estate, Guindy, Chennai-32.

4.The Electrical Inspector,
Chennai, Thiru Vi Ka Industrial Estate,
Guindy, Chennai-32.

+2cc's to Mr.Satish Parasaran, Advocate, S.R.No.52692 & 52915

W.P.No.5149 of 2012

TM(CO)
CA(09/10/2015)



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