

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 5.10.2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN

WRIT PETITION NO.7930 OF 2012

Sanpreet Castings Pvt. Ltd.,  
Coimbatore, rep. by its  
Manager R.Palanivel

.. Petitioner

vs.

1.State of Tamil Nadu, rep. by its  
Secretary to Government,  
Energy Dept., Fort St. George,  
Chennai-9.

2.Tamil Nadu Electricity Board,  
rep. by its Chairman,  
Chennai-2.

3.The Director of Electricity Tax,  
O/o. Of the Chief Electricity Inspector  
to Govt., Chennai.

4.The Superintending Engineer,  
Coimbatore Elec. Distribution Circle,  
Tamil Nadu Electricity Board,  
Coimbatore.

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of Declaration declaring that the Provisions of the Tamil Nadu Tax on Consumption of Sale of Electricity Amendment Act 2007 being Tamil Nadu Act 38 of 2007 as unconstitutional beyond the legislative competence and violative of Article 14 of the Constitution of India.

For petitioner : Mr.R.S.Pandiyaraj

For respondents : Mr.R.Ravichandran, AGP for R1, R3  
Mr.S.K.Raameshwar for R2, R4

O R D E R

Heard the learned counsels appearing on behalf of the parties concerned.

2. At this stage of the hearing of the Writ Petition, the learned counsels appearing on behalf of the respondents had submitted that the Constitutional validity of Act 38 of 2007, amending the Provisions of the Tamil Nadu Tax on Consumption or Sale of Electricity [Amendment], Act 2007, had been upheld by a decision of a Division Bench of this Court, in a batch of Writ Petitions, in W.P.No.25800 of 2012 etc. batch, dated 26.7.2012. The learned counsel appearing on behalf of the petitioner had not refuted the submissions made by the learned counsels appearing on behalf of the respondents. A copy of the order passed by the Division Bench of this Court, dated 26.7.2012, had also been placed before this Court.

3. In such circumstances, in view of the orders passed by the Division Bench of this Court, in W.P.No.25800 of 2012 etc. batch, dated 26.7.2012, the present Writ Petition stands dismissed. No costs. M.P.No.1 of 2012 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gs.

To

- 1.State of Tamil Nadu, rep. by its  
Secretary to Government,  
Energy Dept., Fort St. George, Chennai-9.
- 2.Tamil Nadu Electricity Board,  
rep. by its Chairman, 800, Annasalai,  
Chennai-2.
- 3.The Director of Electricity Tax,  
O/o. Of the Chief Electricity Inspector  
to Govt., Thiru-Vi-Ka Industrial Estate, Chennai-32
- 4.The Superintending Engineer,  
Coimbatore Elec. Distribution Circle,  
Tamil Nadu Electricity Board,  
Coimbatore.

+1cc to Mr.S.K. Raameshwar, Advocate, S.R.No.54198  
+1cc to Mr.R.S. Pandiyaraj, Advocate, S.R.No.53741  
+1cc to the Government Pleader, S.R.No.54067

SKV(CO)  
EU(16/10/2015)

WP 7930 of 2012