

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.40627 of 2015

and

M.P.No.1 of 2015

M/s.Sabarinathan Agro (P) Ltd
HTSC No.311,
SF.No.123/3, Sabari Garden,
Near Karanampettai, Paruvai Post,
Palladam Taluk,
Coimbatore - 641 658,
Rep by its Managing Director,
N.Chandrasekaran

[PETITIONER]

Vs

1. The Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO, Tatabad,
Coimbatore - 12.
2. The Executive Engineer, (O &M)
TANGEDCO, Ondipudur,
Coimbatore District.
3. The Assistant Executive Engineer, (O &M)
TANGEDCO, Sulur,
Coimbatore District

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus, directing the first respondent to reduce the load of 500 KVA from the electricity service connection in HT SC.No.311 of the petitioner as per the application dated 02.11.2015 in Form 4 of the Tamilnadu Electricity Distribution Code, 2004 preferred to the first respondent and not to collect charges for 500 KVA for the month of December 2015.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.S.K.Rameshuwar

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.V.Elangovan, learned Counsel appearing for the petitioner and Mr.S.K.Rameshuwar, learned Standing Counsel appearing for the respondent Board.

3. The petitioner is a Private Limited Company incorporated under the Indian Companies Act, engaged in manufacture of yarn. The petitioner was granted electricity service connection bearing HT SC.No.311 during 2007 with a sanctioned load of 800 KVA. The petitioner submitted an application on 02.11.2015 for reduction of demand by 500 KVA. Though this application was given on 02.11.2015, the first respondent issued a proceedings demanding the remittance of registration fee only on 07.12.2015. This fee has been remitted by the petitioner on 14.12.2015. The petitioner now seeks for a direction to consider the application at the earliest.

4. The learned Counsel appearing for the respondents pointed out that the amount has been remitted by the petitioner only on 14.12.2015 and the application will be considered in accordance with law at the earliest.

5. In the light of the above, without going into the merits of the petitioners' claim, with regard to his entitlement, there will be a direction to the first respondent to consider the petitioner's application dated 02.11.2015 for reduction of demand and pass an appropriate orders on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

To

1. The Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
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Coimbatore - 12.
2. The Executive Engineer, (O &M)
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3. The Assistant Executive Engineer, (O &M)
TANGEDCO, Sulur,
Coimbatore District

+1 cc to M/S.S.Doraisamy Advocate sr.69400

+1 cc to M/S.S.K.Rameshuwar Advocate sr.69529

W.P. No.40627 of 2015

rsk(co)
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