

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2015

Coram

The Hon'ble Mr. Justice T.S. SIVAGNANAM

W.P. Nos.23240 to 23242 of 2003

Lakshmi Machine Works Ltd
Registered Office at Perianaickenpalayam,
Coimbatore-20 rep by its
Company Secretary K.V.Raman ...Petitioner in all Wps

Vs

1. The State of Tamilnadu,
rep by its Secretary to Government
Energy Department, Fort St.George,
Chennai 600 009
2. The Tamilnadu Electricity Regulatory
Commission, 17, III Main Road,
Seethammal Colony, Alwarpet,
Chennai 600 018.
3. The Chairman,
Tamilnadu Electricity Board,
Anna Salai, Chennai 600 002
4. The Chief Electrical Inspector,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai 600 032 ...Respondents in all WPs
1 to 4

The Superintending Engineer(TNEB),
Coimbatore Electricity Distribution
Circle(South), Coimbatore ..5th Respondent in all WPs
23240/03

The Superintending Engineer(TNEB)
Coimbatore Electricity Distribution Circle
(Metro) Coimbatore ...5th Respondent in
WP.No.23241/2003

The Superintending Engineer(TNEB)
Coimbatore Electricity Distribution Circle
(North) Coimbatore ...5th Respondent in
WP.No.23242/2003

COMMON Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Declaration, declaring that the Tamilnadu Electricity Tax on consumption or Sale of Electricity Tax Act, 2003 (Act 12 of 2003) and the rules framed there under are illegal, unenforceable and ultra vires the Constitution of India relating to registration under Rule 5 and levy of tax for the total consumption of electricity supplied by TNEB and to levy of tax at 10 paise to 20 paise per unit under Section 3 of the Act for the electricity consumed or produced for own consumption through self generation of electricity produced through Diesel Genset in respect of the petitioner's HT (i) Service Connection Nos.41 at Kaniyur, 72, 178 and 186 at Arasur and 128 at Kurumbapalayam (in W.P.No.23240 of 2015); (ii) Service Connection Nos.112 at Kalpatti and 200 at 34, Kamaraj Road (in W.P.No.23241 of 2015); and (iii) Service Connection Nos.25,76 and 220 at Perianaickenpalayam (in W.P.No.23242 of 2015) coming under the fifth respondent Distribution Circle.

For petitioner ... Mr.Palani Selvaraj

For Respondent 1 ... Mr.R.Rajeswaran,
Special Government Pleader

For Respondent 2 ... No Appearance

For Respondents 3 to 5... Mr.S.K.Raameshwar

C O M M O N O R D E R

The learned counsel appearing for the petitioner submits that due to subsequent developments, nothing survives for further adjudication in this Writ Petition.

2. Recording the submissions made by the learned counsel for the petitioner, the Writ Petition is dismissed as infructuous No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government
State of Tamilnadu,
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Chennai 600 009
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 5. The Superintending Engineer (TNEB),
Coimbatore Electricity Distribution
Circle(South), Coimbatore
 6. The Superintending Engineer (TNEB)
Coimbatore Electricity Distribution Circle(Metro)
Coimbatore
 - 7.The Superintending Engineer (TNEB)
Coimbatore Electricity Distribution Circle
(North) Coimbatore
- +2 ccs to Government Pleader sr.66255,
66261/15

W.P. Nos.23240
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