

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.32789 of 2016

M/s. Naveen Flyash Bricks,
3/247, Sallimedu,
Chennimalai Block, Murungatholuvur,
Chennimalai post, Perundurai Tk.,
Erode District, rep by its
Proprietor A. Subramaniam

.. Petitioner

Versus

1. The Chief Engineer/Civil Designs,
Tamil Nadu Generation and
Distribution Corporation Limited,
3rd Floor, Easter Wing,
NPKRR Maaligai, 144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineering,
Mettur Thermal Power Station II,
Tamilnadu Generation and
Distribution Corporation Limited,
Mettur Dam - 636 406,
Salem District.

.. Respondents

Writ petition has been filed under Article 226 of the Constitution of India praying to issue a writ of mandamus or order or direction in the nature of a writ directing the respondents to consider and pass orders on the application of the petitioner dated 09.01.2016 for renewing the allotment of dry fly ash for the year 2016-2017 from MTPS II to the petitioner.

For Petitioner : Mr. V.Elangovan

For Respondents: Mr.S.K.Raameshuwar
Standing Counsel

ORDER

Heard Mr.V.Elangovan, learned counsel appearing for the petitioner and Mr.S.K.Raameshuwar, learned Standing Counsel accepting notice on behalf of the respondents. With the consent

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

2. The petitioner seeks for a direction upon the 1st respondent to consider their application dated 09.01.2016 for allotment of dry fly ash for the year 2016-17 from the Mettur Thermal Power Station II. The petitioner is engaged in brick manufacture, using the dry fly ash as the basic raw material. The petitioner has been granted allotment of fly ash, by the first respondent for every year from 2012 onwards.

3. The Application given by the petitioner dated 09.01.2016 for supply of dry fly ash from the second respondent, Thermal Power Plant for the quantity of 100 tonnes power manufacture is pending consideration by the first respondent.

4. The learned Standing Counsel, who accepts notice on behalf of the second respondent Board would submit that a reasonable time may be granted to the first respondent to consider the application of the petitioner on merits and in accordance with relevant rules.

5. In the light of the above, there will be a direction to the 1st respondent to consider the petitioner's application dated 09.01.2016 on merits and in accordance with the rules framed therefor, and pass appropriate orders and communicate the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

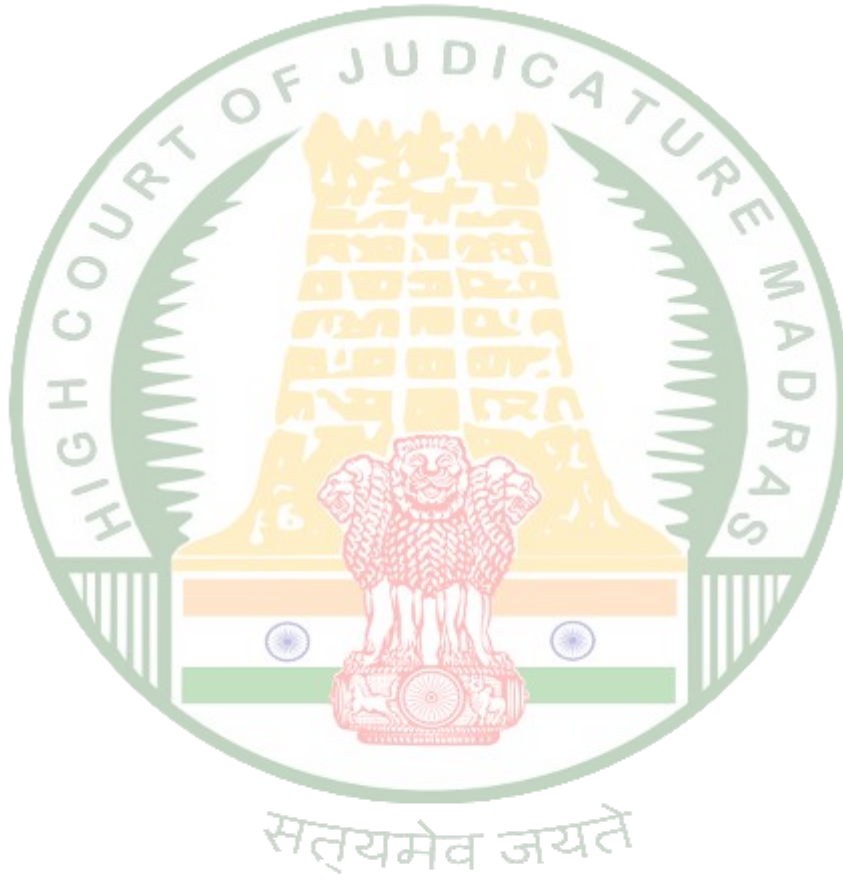
To

1. The Chief Engineer/Civil Designs,
Tamil Nadu Generation and
Distribution Corporation Limited,
3rd Floor, Easter Wing,
NPKRR Maaligai, 144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineering,
Mettur Thermal Power Station II,
Tamilnadu Generation and
Distribution Corporation Limited,
Mettur Dam - 636 406,
Salem District.

rsk(co)
krd 27/9

WP.No.32789 of 2016



WEB COPY