

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6448/2016 & WMP.Nos.5731 & 5732/2016

M/s.ATC Telecom Towers
Corporation Pvt Ltd rep.by
Authorised Signatory Head Operations
TN Circle, No.443/304, Guna Complex,
3rd Floor, Anna Salai, Teynampet,
Chennai-600018.

.. Petitioner

Versus

The Assistant Accounts Officer
Tamil Nadu Generation & Distribution
Corporation [TANGEDCO]
Revenue Branch, Myladuthurai 609001.

.. Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records pertaining to the demand letter dated 06.01.2016 bearing No.RU/RA/BS2/BO No.12/2016 of the respondent and quash the same.

For Petitioner : Mr.J.Ravikumar

For Respondent : Mr.P.Gunaraj

ORDER

Heard the learned counsel appearing for the petitioner ; and Mr.P.Gunaraj, learned Standing Counsel accepting notice on behalf of the respondent and with their consent, the writ petition is taken up for final disposal at the admission stage.

2 The petitioner/Company has filed the present writ petition to quash the proceedings of the respondent dated 06.01.2016 by which the petitioner has been directed to remit the arrears of Current Consumption Charges and considering their representation as a subject case, they have been permitted to pay the arrears of Current Consumption Charges in three instalments @ Rs.1,51,816/- per instalment. The petitioner without prejudice to his rights, has paid the first instalment

and raised an objection to the demand by their letter dated 13.02.2016. The said objection has not been considered till date.

3 Learned Standing counsel appearing for the respondent, on instructions, would submit that the objection will be considered on merits and the petitioner should be directed to comply with the demand by remitting the 2nd instalments.

4 In the light of the above, there will be a direction to the respondent to consider the objection of the petitioner dated 13.02.2016 after affording an opportunity of personal hearing to the authorised representative of the petitioner/company. The above direction shall be complied with by the respondent within a period of three weeks from the date of receipt of a copy of this order. Till then, the respondent shall not insist on payment of second and third instalments of the arrears of the Current Consumption Charges.

5 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

AP

To

The Assistant Accounts Officer
Tamil Nadu Generation & Distribution
Corporation [TANGEDCO]
Revenue Branch, Myladuthurai 609001.

+1 cc to Mr.P.Gunaraj, Advocate, sr.11266
+1 cc to M/s.J.Ravikumar, Advocate, sr.11273

WP.No.6448/2016

ctk co,
kra 24.02.2016