



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

WMP(MD) No.6138 of 2016

IN

WP(MD) No.8088 of 2008

D.S.M.SOFT (P) LTD

NO.9, 15TH CROSS STREET, SHASTRI NAGAR,

ADYAR, CHENNAI-20

... PETITIONER/ PETITIONER

Vs

1 THE ASSISTANT EXECUTIVE ENGINEER,
CANTONEMENT SECTION TNEB TENNUR,
TIRUCHY

2 THE TAMIL NADU ELECTRICTIY BOARD,
REP BY ITS CHAIRMAN,
800, ANNA SALAI,
CHENNAI-2

3 THE TAMIL NADU ELECTRICITY REGULATORY COMMISSION,
REP BY ITS SECRETARY,
NO.17, 3RD MAIN ROAD, SEETHAMMAL COLONY,
ALWARPET, CHENNAI-18

... RESPONDENTS/ RESPONDENTS

Writ Miscellaneous Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order in the above Writ Petition WP.8088/2008 dated 15.3.2016 and restore the same on the file of this Court.

PRAYER IN WP(MD)No.8088 of 2008:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the proceedings of the first respondent comprised in Lr. No. AEE/O&M/CONT/TRY/FRB/2008/ D457/2008 dated 26.08.2008 and quash the same and consequently direct the first and second respondents to restore the tariff classification of the petitioner unit to LT tariff III B.

ORDER : This writ Miscellaneous petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. G.R.SWAMINATHAN FOR MR.S.SUBRAMANIAM BALAJI, Advocate for the petitioner and of M/S.S.SRINATHI FOR MR.S.M.S.JOHNNY BASHA, Advocate for the respondents 1 to 3, the court made the following order:-



This Miscellaneous petition is filed to restore the main petition, writ petition, which was dismissed for default. This Court is inclined to accept the reasons adduced for non appearance.

Having considering the facts and circumstances, the order dated 15.03.2016 is revoked and the writ petition in WP(MD)NO.8088 is restored. This Miscellaneous petition is ordered accordingly.

Post the main writ petition on 02/06/2016.

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

TO

- 1 THE ASSISTANT EXECUTIVE ENGINEER,
CANTONEMENT SECTION TNEB TENNUR,
TIRUCHY
- 2 THE CHAIRMAN, TAMIL NADU ELECTRICITY BOARD,
800, ANNA SALAI,
CHENNAI-2
- 3 THE SECRETARY,
TAMIL NADU ELECTRICITY REGULATORY COMMISSION,
NO.17, 3RD MAIN ROAD, SEETHAMMAL COLONY,
ALWARPET, CHENNAI-18

Date :26.05.2016

Hearing date:02.06.2016

ORDER

WMP(MD) No.6138 of 2016
IN

WP(MD) No.8088 of 2008
Allowing the writ Miscellaneous petition
etc., as stated within.

RG.AAL-MPA/SAR-III 30.05.2016 2P.4C