

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.06.2017

Coram

The Hon'ble Mr.Justice M.M.SUNDRESH

W.P.No.19819 of 2016
and W.M.P.No.17094 of 2016

MIL Steel and Power Ltd.,
Rep. by its Director,
Regd. Office:
Plot No.F-14, SIPCOT Industrial
Complex, Gummidipoondi, - 601 201. ...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Chennai Electricity Distribution Circle
(North), 144, Anna Salai,
Chennai - 600 002.
3. Chief Financial Controller/Revenue
Tamil Nadu Generation and Distribution
144, Anna Salai, Chennai - 600 002. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st to 3rd Respondents to pay to the Petitioner's account a sum of Rs.24,45,100/- as refund of demand charges for the months of November and December 2015 on account of temporary closure of the Petitioner's company.

For Petitioner : Mr.R.Parthasarathy

For Respondents: Mr.P.R.Dhilip Kumar

O R D E R

This petition has been filed for issuance of writ of Mandamus, directing the Respondents 1 to 3 to pay to the Petitioner's account a sum of Rs.24,45,100/- as refund of demand charges for the months of November and December 2015 on account of temporary closure of the Petitioner's company.

2. According to the petitioner, due to labour unrest the concern was closed though temporarily, as a result of the same, the electricity was not used. Therefore, the petitioner sought for rebate on monthly minimum demand charges for the months of November and December 2015.

3. The petitioner has also produced a certificate issued by the Assistant Commissioner of Labour dated 07.01.2016 in support of the facts as stated above. Thereafter, the second respondent has asked the Assistant Commissioner of Labour for confirmation certificate to pay the temporary closure as per the letter dated 19.01.2016. The Assistant Commissioner of Labour on 22.01.2016 has sent the requisite communication to the second respondent. Thereafter, the petitioner renewed its request for rebate on monthly minimum demand charges for the months of November and December 2015. As no further action is forthcoming, the present writ petition has been filed.

4. From the facts stated above, the second respondent is yet to take a decision on the request made by the petitioner. In such view of the matter, the said authority is directed to pass appropriate orders on the request made by the petitioner dated 14.03.2016 in terms of the Tamil Nadu Electricity Supply Code with respect to the rebate for temporary closure on monthly minimum demand charges within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

raja

To

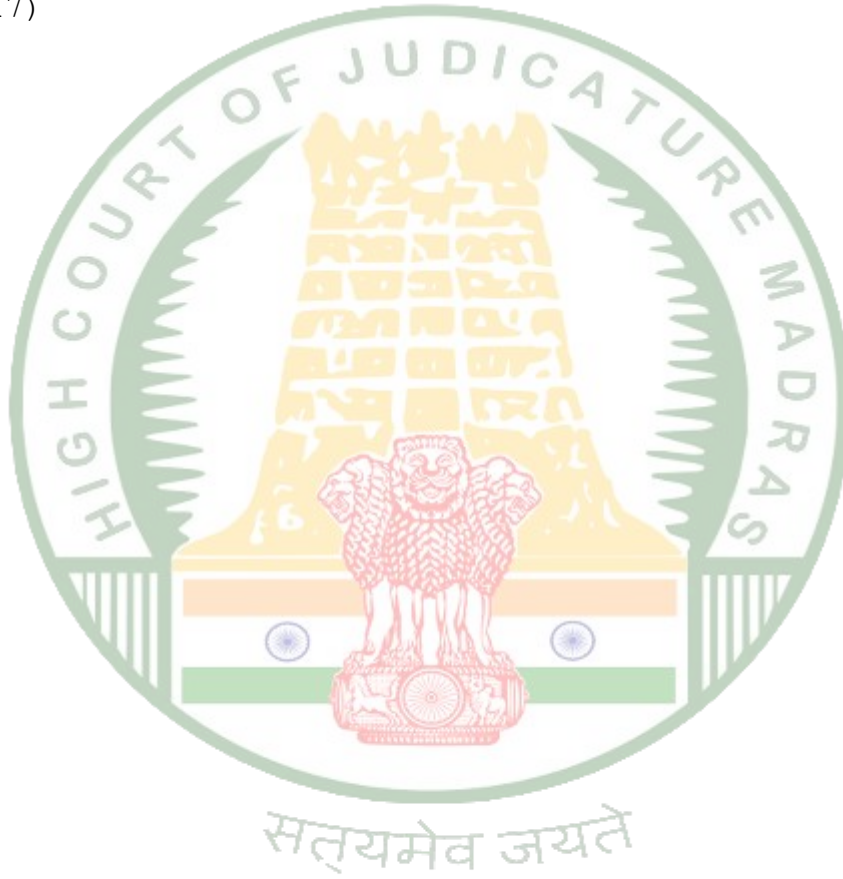
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+1cc to P.R.Dhilipkumar, Advocate sr.42876

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br(co)
ss(3/7/2017)



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