

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.14724 and 14727 of 2004
and W.M.P.Nos.17464 and 17468 of 2004

Hindustan Spinners "B" Unit,
Rep. by its Partner,
D.Selvarajan,
862/1, Bilichi Village,
Bettathapuram Pudur,
karamadai, Coimbatore - 641 104.

...Petitioner in W.P.No.14724 of 2004

Hindustan Cotton Spinning Mills,
Rep. by its Partner,
D.Soundararajan,
S.F.No.341, M.T.P.Road,
NSN Palayam, Coimbatore - 641 031.

...Petitioner in W.P.No.14727 of 2004

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Energy Department,
Fort St.George,
Chennai - 600 009.
2. Tamil Nadu Electricity Board,
Rep. by its Chairman,
800, Anna Salai,
Chennai - 600 002.
3. The Superintending Engineer,
Coimbatore Electricity Distribution Circle (North),
Coimbatore District.

.. Respondents in both W.Ps.

Prayer in both W.Ps.:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, declaring clause 'd' of the High Tension Tariff I to the schedule of the Tamil Nadu Electricity Revision of Tariff Rates on Supply of Electrical Energy Act, 1978 as null and void and to direct the respondents to refund to the petitioner the Peak-Hour charges

collected illegally so far from the month of August 1997 or adjust the same in future bills.

For Petitioners: Mr.M.K.Kamalanathan

For R1 : Mr.Akhil Akbar Ali,
Government Advocate

For R1 and R3 : Mr.S.K.Rameshuwar

C O M M O N O R D E R

When the matters came up for hearing today (02.08.2017), the learned counsel for the petitioners submitted that the judgment of a Hon'ble Division Bench of this Court, in W.A.No.1513 of 2004, dated 23.08.2005, is squarely applicable to the case on hand.

2. In view of the same, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

asi/sts
To

1. The Secretary to Government,
Energy Department,
Fort St.George,
Chennai - 600 009.
 2. The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.
 3. The Superintending Engineer,
Coimbatore Electricity Distribution Circle (North),
Coimbatore District.
- +lcc to Government Pleader sr.55695

W.P.Nos.14724 and 14727 of 2004

rj(co)
ss(8/9/2017)