

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.2934 of 2006

Maharaja Theme Park and Resorts Ltd.,
Rep. by its Chairman.

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by its,
Secretary to the 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 Chief Electrical Inspector to Government,
Thiru Vi.Ka.Industrial Estate,
Guindy, Chennai - 600 032.

4.The Tamil Nadu Electricity Regulatory Commission,
17, III Main Road, Seethammal Colony,
Alwarpet,
Chennai - 600 018.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring The Tamil Nadu Tax on Consumption or Sale of Electricity Tax, 2003 (Act 12 of 2003) as ultra vires the Constitution of India, illegal, invalid and unenforceable relating to levy of tax on the electricity consumed for their own use out of their own generation through their Generators and Windmills in so far as the Petitioner is concerned.

For Petitioner : Mr.V.Sanjeevi

For Respondents : No Appearance

O R D E R

The learned counsel appearing for the petitioner submits that the issue raised in this writ petition, has already been decided against the petitioner and it has been concluded, in fact, by dismissal of W.A.No.65 of 2004 and in view of the said conclusive decision of a Division Bench of this Court, as has been, submitted by the learned counsel appearing for the petitioner, this writ petition is also liable to be dismissed.

2. Accordingly, recording the said statement made by the learned counsel appearing for the petitioner, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition, if any, is also closed.

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Assistant Registrar

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Sub Assistant Registrar

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To

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KGK(CO)
GN(28/03/2017)