

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.16229 of 2004

K.Mahalakshmi

... Petitioner

vs.

1. The Assistant Executive Engineer (O & M),
Tamil Nadu Electricity Board,
Gobichettipalayam.
 2. The Executive Engineer (O & M),
Tamil Nadu Electricity Board,
Gobichettipalayam.
 3. The Superintending Engineer,
Gobi Electricity Distribution Taluk,
Tamil Nadu Electricity Board,
Gobichettipalayam.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari to call for the records of the respondents and quash the order of the third respondent, dated 12.02.2004 by which he confirmed the order of the second respondent in his proceedings Lr.No.EEO&M/Gobi/AE.I/F.DKT/D114/2001, dated 12.09.2001.

For Petitioner : Mr.Chandran

For Respondents : Mr.S.K.Raameshuwar

O R D E R

The petitioner has come up with this Writ Petition challenging the order dated 12.02.2004 passed by the third respondent, by which he confirmed the order dated 12.09.2001 passed by the second respondent in his proceedings vide Lr.No.EEO&M/Gobi/AE.I/F.DKT/D114/2001.

2. According to the petitioner, there was an inspection by the 1st respondent herein on 28.08.2001 and he alleged that there was a theft of energy in Electricity Connection No.717/C of the petitioner's premises. She further submitted that on 28.08.2001 itself, the respondents collected a sum of Rs.1,21,225/- towards value of stolen energy and Rs.79,492/- towards compounding fee. Thereafter, the 2nd respondent passed an order on 12.09.2001, even prior to the expiry of 15 days time given to her for filing objections. Now, the petitioner has filed the present Writ Petition challenging the order dated 12.09.2001 passed by the second respondent.

3. The respondent/Electricity Board has filed counter affidavit stating that there was theft of electricity by the petitioner and a demand was made levying extra charges towards compensation for theft of energy and compounding charges. In paragraph 8 of the counter, it is stated that the petitioner has accepted theft of energy in the premises of her service connection and has paid a sum of Rs.1,21,225/- towards compensation for theft of energy and a sum of Rs.79,492/- as compounding charges.

4. In view of the same, as the petitioner has paid the entire amount due to the respondent/Electricity Board, nothing further survives for consideration in this Writ Petition. Hence, this Writ Petition is dismissed as having become infructuous. No costs.

Sd/-
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

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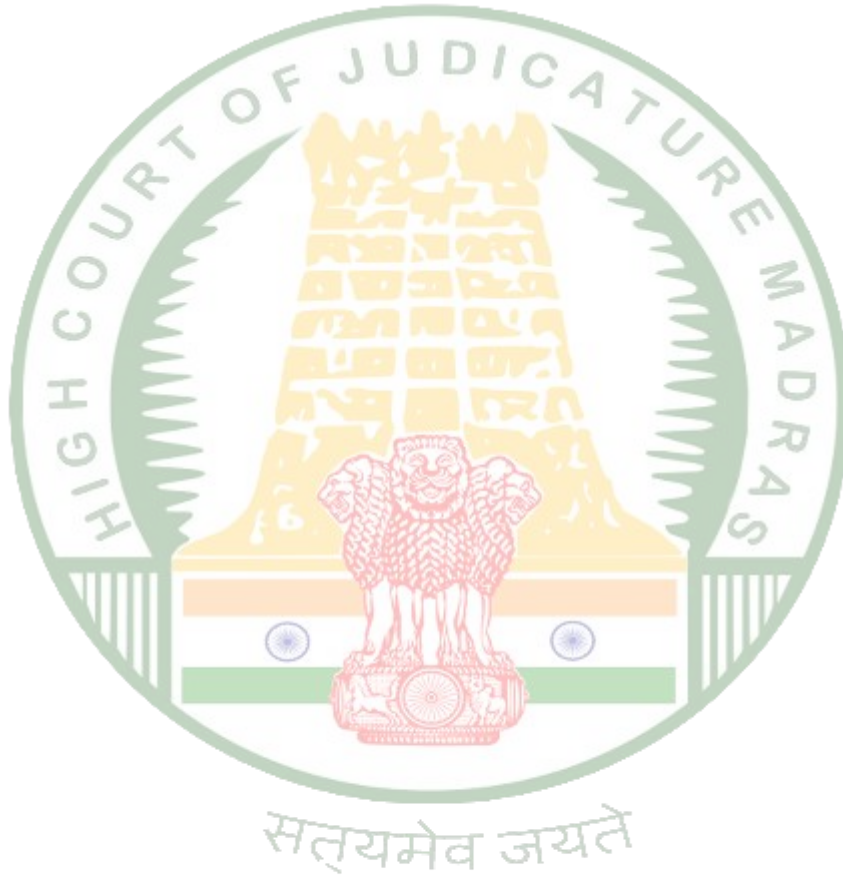
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+1cc to MR.Chandran, Advocate SR.No.47170

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KK (CO)
GN(08/08/2017)



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