

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA**W.P (MD) No.14041 of 2015****and****M.P. (MD) .No.1 of 2015**

M/s.Alpha Minerals & Chemicals
Rep. By its Partner,
Mr.A.M.Ashraf,
S/o.Abdul Rahumankutty,
T.C.No.15/2004, Dwaraka WC Lane,
Vazhuthacaud,
Thiruvananthapuram - 625 914,
Kerala State.

... Petitioner

Vs.

The Superintending Engineer,
Tirunelveli EDC, Maharaja Nagar,
Tirunelveli - 627 011,
Tirunelveli District.

... Respondent

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned bill, in Bill No.212, dated 31.07.2015 of the respondent herein, which was served on the petitioner on 03.08.2015, in so far as 14th column concerned, for a tune of Rs.2,52,269/- (Rupees Two Lakhs Fifty Two Thousand Two Hundred and Sixty Nine only) and quash the same as illegal.

For Petitioner : Mr.C.Kishore.

For Respondent : Mr.G.Kasinatha Durai,
Standing Counsel for TNEB.**ORDER**

This Writ Petition has been filed seeking to call for the records pertaining to the impugned bill, in Bill No.212, dated 31.07.2015 of the respondent herein, which was served on the petitioner on 03.08.2015, in so far as 14th column concerned, for a tune of Rs.2,52,269/- (Rupees Two Lakhs Fifty Two Thousand Two Hundred and Sixty Nine only) and quash the same as illegal.



2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.

3. The learned counsel appearing for the petitioner submitted that the issue involved in this writ petition is covered by a decision made by me in a batch of writ petition in W.P.Nos.25 of 2016 dated 28.02.2017. The relevant portion of the said order is extracted hereunder:

"In view of Regulation 4(1)(iv) of the Tamil Nadu Electricity Supply Code, although the State has got power to direct the consumers to install harmonic filters irrespective of their voltage connection as stated by learned Additional Advocate General for the TANGEDCO, the same cannot be sustained in view of non-specification of any standard of harmonics for 11 kv/22kv/supply line consumers by the CEA, who, being an Apex Body as per Section 73(d) of the Act, has exclusive powers to specify the Grid Standards for operation and maintenance of transmission lines.

Thus, for all the reasons stated above, the impugned demands are quashed. Consequently, the writ petitions are allowed. No costs."

4. In view of the above said order dated 28.02.2017, the writ petition stands allowed and the impugned bill is quashed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Superintending Engineer,
Tirunelveli EDC, Maharaja Nagar,
Tirunelveli - 627 011,
Tirunelveli District.

W.P (MD) No.14041 of 2015
21.07.2017

rm/ar
SDS/JC/SAR 1/07.08.2017/2P/2C