



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.16238 of 2015
and
M.P. (MD) .No.1 of 2015

The Tamil Nadu State Transport Corporation,
Tirunelveli Ltd.,
Nagercoil Region,
Rep. by its General Manager,
Ranithottam,
Nagercoil,
Kanyakumari District.

... Petitioner

Vs.

1.Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Rep by its Chairman and Managing Director,
No.144, Anna Salai, Chennai.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Kanyakumari Electricity Distribution Circle,
Nagercoil,
Kanyakumari District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the 2nd respondent relating to the impugned order passed in LR. No.SE/KKEDC/AEE/GL/AE.2/F.Harmonics/D.235/15 dated 02.03.2015 and quash the same.

For Petitioner : Mr.K.Sathiya Singh
Standing Counsel for TNSTC

For Respondents : Mr.A.V.Ramanathan
Standing Counsel for TNEB

ORDER

This Writ Petition has been filed seeking to quash the impugned order passed in LR. No.SE/KKEDC/AEE/GL/AE.2/F.Harmonics/D.235/15 dated 02.03.2015, issued by the second respondent.



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

3. The learned standing counsel appearing for the petitioner submitted that the issue involved in this writ petition is covered by a decision of mine made in a batch of writ petition in W.P.Nos.25 of 2016 dated 28.02.2017. The relevant portion of the said order passed by me 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 order is quashed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.K.Sathiya Singh, Advocate in SR.No.67211

rm/ar
AE/MR KKR/SAR2/28.07.2017/2P/2C

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