



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P(MD)No.494 of 2017

WEB COPY

P.Loganathan

.. Petitioner

Vs.

1. The Chairman,
TANGEDCO, NPKRR Malligai,
144, Anna Salai, Chennai - 02.

2. The Chief Engineer Distribution,
TANGEDCO, Tirunelveli Region,
Maharaja Nagar, Tirunelveli - 11.

3. The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
TANGEDCO, Ettayapuram Road,
Tuticorin District.

4. SPIC Limited,
88 Mount Road,
Guindy, Chennai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to levy fine and penalty and collect the loss of Rs.161.70 crores from SPIC as requested in the petitioner's representation dated 03.12.2015.

For Petitioner	: Mr.Antony S.Prabahar
For Respondents 1 to 3	: Mr.S.M.S.Johnny Basha
For Respondent No.4	: M/s.AL.Ganthimathi

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 3 to levy fine, penalty and collect the loss of Rs.161.70 crores from the fourth respondent, on the basis of representation dated 03.12.2015, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has advanced argument on the basis of the representation dated 03.12.2015.



3.The learned counsel appearing for the fourth respondent has sought adjournment for filing counter.

4.Considering the nature of the relief sought in the writ petition and also considering the fact that on 03.12.2015 a representation has been given by the petitioner to the second respondent, this Court is inclined to direct the second respondent to look into the representation dated 03.12.2015 and to that extent this writ petition is liable to be allowed.

5.In fine, this writ petition is allowed in part without costs and the second respondent is directed to look into the representation dated 03.12.2015 alleged to have been given by the petitioner and dispose of the same after giving due opportunity to the fourth respondent within a period of one month.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
TANGEDCO, NPKRR Malligai,
144, Anna Salai, Chennai - 02.
2. The Chief Engineer Distribution,
TANGEDCO, Tirunelveli Region,
Maharaja Nagar, Tirunelveli - 11.
3. The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
TANGEDCO, Ettayapuram Road,
Tuticorin District.

+1cc to Mr.AL.Ganthimathi, Advocate Sr.No.8003

+1cc to Mr.Antony S.Prabahar, Advocate Sr.No. 7715

**ORDER MADE IN
W.P(MD)No.494 of 2017
13.02.2017**

smn

AAM-PM-PN-SAR 3/14.2.2017/2p-6c