

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 35390 of 2004

WPMP.No.42629 of 2004

HOTEL ENNORDEE INTERNATIONAL,
(P)LTD, rep by its Director D.Premkumar,
a company constituted under the Companies
Act, having Regd Office at Ennordee Tower,
No.11, Jawaharlal Nehru Road First Avenue,
Ashok Nagar, Chennai-600 083. ..petitioner

Vs

1. Superintending Engineer,
Chennai Electricity Distribution Circle,
(South), SS Complex, Anna Main Road,
K.K.Nagar, Chennai-600 078.
2. Tamil Nadu Electricity Board,
Rep by its Chairman,
No.800, Anna Salai, Chennai-600 002.
3. The State of Tamil Nadu,
Rep by Secretary to Government,
Department of Electricity,
Secretariat, Chennai-600 009. ..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that Regulation-31 of Tamilnadu Electricity Distribution Code 2004, in so far as it stipulates the payment of Monthly Minimum Charges even before supply of electricity is effected and in so far as it lays down forfeiture of EMD and Development Charges, etc, paid by the consumer, is arbitrary, unreasonable, opposed to Equity and the Doctrine of Unjust Enrichment, deprivative of the basic necessity of electricity, and ultra vires of Sec.46 of Electricity Act 2003 and violative of Articles 14 & 21 of the Constitution of India, and consequently Directing the Respondents to effect supply of HT electrical energy to the petitioner Hotel situated at No.85/86, Arcot Road, Rajeshwari Nagar, Porur, Chennai-600116, upto the maximum demand not exceeding 200 KVA.

For Petitioner : No appearance

For Respondents : Mr.S.K.Rameshuwar,
For R1 & R2.

Mr.A.Rajaperumal,
Additional Government Pleader,
For R3.

O R D E R

When the writ petition was taken for hearing on 19.12.2018, there was no representation for the petitioner. Hence, the matter is posted today, i.e. on 20.12.2018, under the caption "For Dismissal".

2. Today also there is no representation for the petitioner. Hence, the writ petition is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

tar/kmm

To

1. Superintending Engineer,
Chennai Electricity Distribution Circle,
(South), SS Complex, Anna Main Road,
K.K.Nagar, Chennai-600 078.

2. Tamil Nadu Electricity Board,
Rep by its Chairman, सतयमेव जयते
No.800, Anna Salai, Chennai-600 002.

3. The State of Tamil Nadu,
Rep by Secretary to Government,
Department of Electricity, COPY
Secretariat, Chennai-600 009.

+1cc to Government Pleader SR.No.89914

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KAN (CO)
GMY (24/01/2019)