

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.433 of 2014 and
MP No.1 of 2014

Seshasayee Paper and Boards Limited
Pallipalayam, Namakkal District,
Represented by its Vice-President (Finance)
and Secretary V.Pichai Appellant

-vs-

- 1.Tamil Nadu Electricity Board,
Rep. by its Chairman,
800, Anna Salai,
Chennai - 600 002.
- 2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Mettur Electricity Distribution Circle,
Mettur Dam - 636 401. Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
against the order passed in Review Application No.9 of 2014 in
W.P.No.23310 of 2003 dated 27.01.2014.

Review Application filed under Order 47 Rule 1 and Section
114 of CPC, against the order dated 16.04.2013 passed in
W.P.No.23310 of 2003 on the file of this Court - Writ of
Certiorari calling for records relating to the letter
No.PR.233/A/CS.Br/ADR/HT/A.4/BR-C7/2003 dated 25.7.2003 of the
Second respondent in respect of the petitioner mill and quash
the same in so far as the levy and demand for interest or
surcharge towards payment of arrears of demand charges in 10
equal monthly installments is concerned.

For Appellant : Mrs.Rita Chandrasekar
for M/s.Aiyar and Dolia

For Respondents: Mr.S.K.Rameshwar

J U D G M E N T

[Judgment of the Court was delivered by

K.K.SASIDHARAN, J.]

The review application filed by the appellant to review the order dated 16 April 2013 made in W.P.No.23310 of 2003 was dismissed by the learned single Judge.

2. When the appeal came up for hearing during last occasion, we directed the appellant to pay the amount in view of the legal position that the consumer is liable to pay the damages, in case, the amount is not paid within the cut-off date.

3. When the appeal is taken up for hearing, the learned counsel for the appellant produced a Demand Draft bearing No.147629 for a sum of Rs.4,96,378.96 drawn on State Bank of India in favour of the Superintending Engineer, the second respondent herein. The Demand Draft was received by the learned Standing Counsel for the Electricity Board on acknowledgment.

4. Since the payment would cover the entire amount due from the appellant towards surcharge, nothing survives for further adjudication in this appeal.

5. The intra court appeal is closed with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

svki

To

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Mettur Electricity Distribution Circle,
Mettur Dam - 636 401.

+1cc to M/s.Aiyar and Dolia, Advocate sr.no.52745

W.A.No.433 of 2014

ad(co)
nr 10/09/2018



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