

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 08.06.2018****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.41843 of 2006**

Sree Kaderi Ambal Mills Ltd.
(A&B Units) (H.T.Sc.Nos.46 and 75)
Rep. by its Managing Director,
S.V.Petha Perumal ... Petitioner

Vs.

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

2.The Superintending Engineers,
Sivaganga Electricity
Distribution Circle,
Tamil Nadu Electricity Board,
Sivaganga. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring that the levy, demand and collection of peak hour charges by the Respondents at 0.70 paise extra (20% extra) from the petitioner, on the total consumption of Electricity in the petitioner industry without adjusting to set off the Electricity generated or produced through its Captive Generators against consumption during the peak hours as unconstitutional, illegal and null

and void in so far as the petitioner industry in H.T.S.C.Nos.46 and 75 (Units A and B) is concerned and direct the Respondents to refund to the petitioner the total amount collected illegally as peak hour charges from the petitioner for their own generated electricity through their generators during peak hours till date.

For Petitioner : Mr.K.Seshadri
For Respondents : Mr.P.R.Dhilip Kumar

ORDER

The learned counsel appearing for the petitioner submits that the relief sought for in this writ petition has become infructuous and hence the writ petition may be dismissed as infructuous. He has also made an endorsement to that effect in the petition.

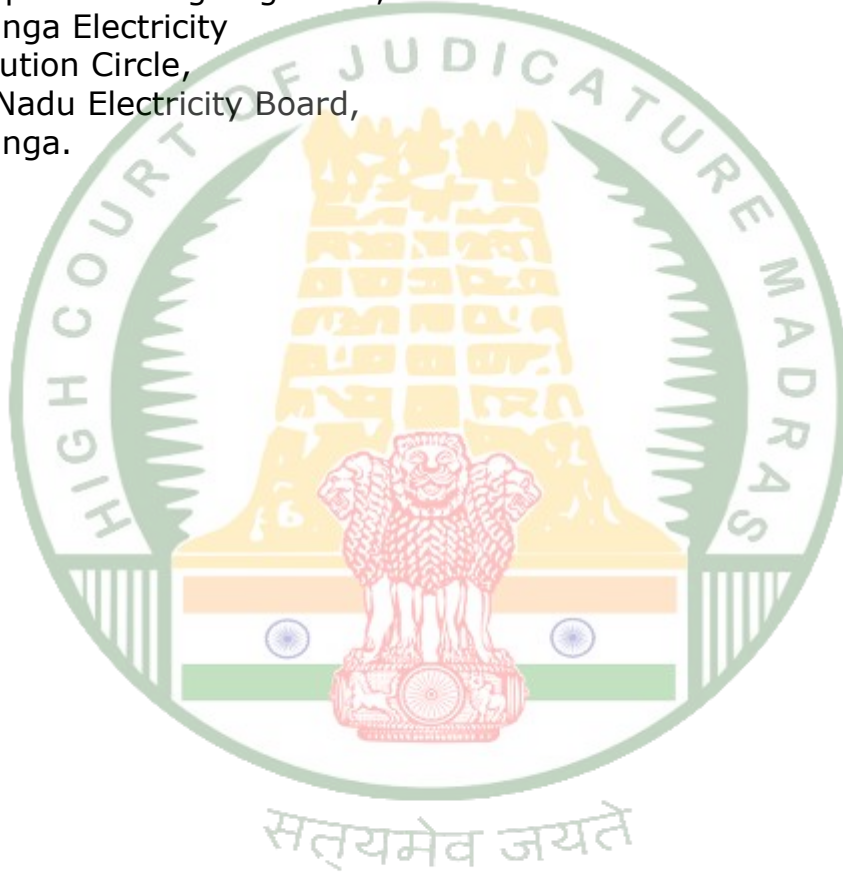
2.Recording the endorsement made by the learned counsel appearing for the petitioner, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition, if any, is also closed.

08.06.2018

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai – 600 002.
- 2.The Superintending Engineers,
Sivaganga Electricity
Distribution Circle,
Tamil Nadu Electricity Board,
Sivaganga.



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M.DHANDAPANI,J.
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