

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.19742 and 19743 of 2010
and
M.P.Nos.1 of 2010 and 2 of 2010

C.G.Pudumai

... Petitioner in
both WPs

vs

1.The State of Tamil Nadu
rep. by its Secretary to Government,
Electricity Regulatory Commission,
Chennai.

2.The Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
Urban-I, Gudiyattam,
Vellore District.

3.The Junior Engineer,
Tamil Nadu Electricity Board,
Urban-I, Gudiyattam,
Vellore District.

... Respondents in
both WPs

WP.No.19742 of 2010: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order in K.No.A.E/O&M/Na.Pi.I/Gudi/Ko.Thani/No.83/2010 dated 25.05.2010 passed by the second respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the rule of law and natural justice and thereby direct the 2nd respondent to restore the electricity connection in service connection No.461-109-693 which was provided to the petitioner's factory located at 100-D, Palamaner Road, Gudiyattam, Chittoor Gate, Vellore District immediately without any further delay and direct the respondents to receive the charges under the small scale industry tariff from the petitioner.

WP.No.19743 of 2010: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring the amendment to regulation 17(8) of the Tamil Nadu Electricity Supply Code dated 20.08.2008 passed by the first

respondent as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and null and void.

For Petitioner : Mr.P.A.Chithramani
For R1 : Mr.J.Ramesh, AGP
For R2 & R3 : Mr.M.Varunkumar

COMMON ORDER

The petitioner in both the writ petitions is one and the same. While W.P.No.19742 of 2010 has been filed to quash the notice dated 25.05.2010 issued by the second respondent, demanding a sum of Rs.1,22,822/- representing the alleged electricity consumption charges pertaining to service connection no.461-109-693 granted to the factory of the petitioner and for consequential relief, W.P.No.19743 of 2010 has been filed to declare the amendment to regulation 17(8) of the Tamil Nadu Electricity Supply Code dated 20.08.2008 passed by the first respondent as illegal, improper, unreasonable, arbitrary and against the principles of natural justice.

2.However, when the matters were taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that subsequent to the filing of these writ petitions, for claiming the same relief as sought for herein, the petitioner instituted a civil suit, which was dismissed, against which, he went on appeal, which was also ultimately, dismissed and hence, nothing survives for adjudication in these writ petitions.

3.Recording the submissions so made by the learned counsel for the petitioner, W.P.No.19742 of 2010 is dismissed as infructuous and as a sequel, W.P.No.19743 of 2010 is closed. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
सत्यमेव जयते

Assistant Registrar(CS-IV)

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Sub Assistant Registrar

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To

1.The State of Tamil Nadu
rep. by its Secretary to Government,
Electricity Regulatory Commission,
Chennai.

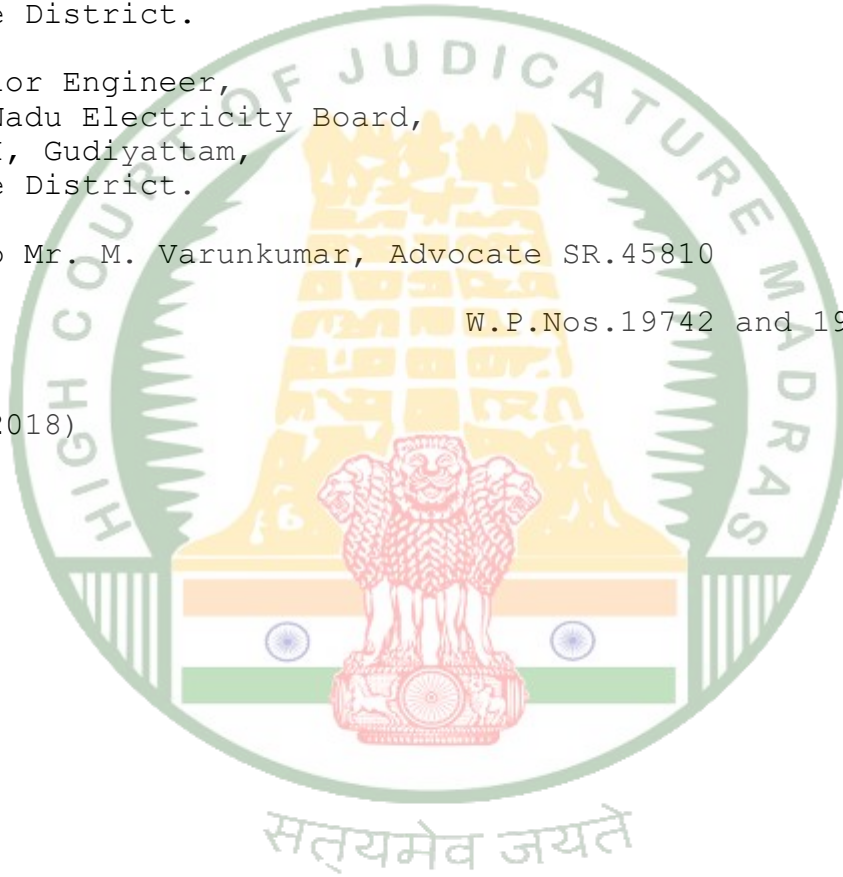
2.The Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
Urban-I, Gudiyattam,
Vellore District.

3.The Junior Engineer,
Tamil Nadu Electricity Board,
Urban-I, Gudiyattam,
Vellore District.

+ 2 ccs to Mr. M. Varunkumar, Advocate SR.45810

W.P.Nos.19742 and 19743 of 2010

(CS-IV)
EU(26/07/2018)



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