



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A(MD)NO.708 OF 2015

and

M.P(MD)No.1 of 2015

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai- 600 002.
2. The Superintending Engineer,
Madurai Metro Electricity Distribution Circle,
TANGEDCO, Madurai. : Appellants/Respondents

vs.

M/s.Sri Sathu Spinning Mills(P)Limited,
represented by its Chief Engineer,
(Electrical) S.Murugan,
HT SC No.60,335/1, Bye-Pass Road,
Avaniyapuram, Madurai-12. : Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying this Court to set aside the order passed by this Court in
W.P(MD)No.8477 of 2015, dated 20.05.2015

Prayer in WP(MD). 8477/ 2015 :

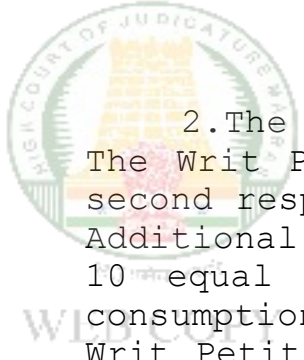
Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a writ of
Mandamus directing the 2nd respondent to permit the petitioner to
pay the Additional Current Consumption Deposit of Rs.35,61,676/-
alone in 10 equal monthly installments along with the regular
current consumption charges.

For Appellants	: Mrs.M.Parameswari for M/s.S.M.S.Johnny Basha
For Respondent	: Mr.N.Sudalaimuthu

JUDGMENT

[Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**]

This Writ Appeal is directed against the order passed in W.P
(MD)No.8477 of 2015, dated 20.05.2015.



2.The appellants are the respondents before the Writ Court. The Writ Petition was filed seeking for a mandamus directing the second respondent herein to permit the Writ Petitioner to pay the Additional Current Consumption Deposit of Rs.35,61,676/- alone in 10 equal monthly installments along with the regular current consumption charges. The said Writ Petition along with connected Writ Petitions was taken up by the Writ Court for disposal. After hearing both sides, a common order was passed in all the matters on 20.05.2015 directing the respective Writ Petitioner to pay the said amount in six equal monthly installments along with regular consumption charges commencing from June 2015. For passing such order, the Writ Court has taken note of the order already passed in W.A(MD)Nos.407 and 408 of 2012 etc. batch, dated 02.08.2012. Challenging the said order of the Writ Court, the present Writ Appeal is filed by the appellants.

3.The learned counsel for the respondent submitted that the order passed by the Writ Court has already been complied with and all the six equal monthly installments have been paid by the respondent/Writ Petitioner. The learned counsel for the appellants however submitted that this should not be a regular practice in respect of future years. Needless to say that We are not concerned with the apprehension expressed by the learned counsel for the appellants in respect of future years, as We are called upon to decide as to whether the order passed in the Writ Petition is sustainable or not.

4.When it is admitted that all the six monthly installments have been paid already as directed by the Writ Court, We find nothing remains in this Writ Appeal to be adjudicated upon further. Therefore, this Writ Appeal is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

VSN

MK/RP/SAR 3/27.08.2018/2P/1C

JUDGMENT MADE IN
W.A(MD)NO.708 OF 2015
and
M.P(MD)No.1 of 2015
31.07.2018