

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2019

CORAM

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.Nos.5759 to 5761 of 2006
and
W.P.M.P.Nos.6246 to 6248 of 2006

H.C.Dhariwal
M/s.Sampath Nursing Home
No.5, Nachiappan Street
Mylapore
Chennai 600 004

...Petitioner in all W.Ps

Vs.

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

2.The Executive Engineer / O & M
Mylapore
Chennai Electricity Distribution Circle / Central
Royapettah, Chennai 600 014

3.The Assistant Executive Engineer / O & M
Mylapore
Tamil Nadu Electricity Board
Chennai 600 004

... Respondents in all W.Ps

Common Prayer: These writ petitions have been filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, to call for records of the second respondent in his Letter No.EE/O & M /

Myl/AE/CAUP/F.TOE/ D-3062/2006, D-3063/2006 and D-3064/2006 dated 20.02.2006 and quash the same as illegal, arbitrary and against the provisions of the Electricity Act 2003.

For Petitioner : Mr.K.Seshadri

For Respondents : Mr.P.R.Dhilip Kumar

COMMON ORDER

This writ petition has been filed by the petitioner for issuance of a writ of Certiorari, to call for records of the second respondent in his Letter No.EE/O&M/Myl/AE/CAUP/F.TOE/D-3062/2006 dated 20.02.2006 and quash the same as illegal, arbitrary and against the provisions of the Electricity Act 2003.

2.In view of the issue raised in the Writ Petition being settled against the petitioner in terms of the Division Bench Judgment of this Court in W.A.No.1808, 1811 of 2009, W.P.Nos.29882 of 2004 and 3013 of 2014 & W.P.(MD) Nos.2360 and 2361 of 2008 decided on 08.04.2019 and thereafter, the Hon'ble Apex Court having entertained the Special Leave Appeals against the said judgment bearing Special Leave Appeal (Civil) Nos.12541 of 2019 and 12951 of 2019, there is no interim direction. The petitioner has agreed to pay

the electricity charges demanded in the demand notice within a period of four weeks.

3. These present writ petitions are disposed of in terms aforesaid, with the agreement that the ultimate fate of the matter before the Hon'ble Apex Court would also govern the present appellant and writ petitioner. The petitioner is entitled for the refund of the amount paid by this order after the disposal of the Special Leave Appeal if held in favour of the writ petitioner.

4. These writ petitions are disposed of accordingly, No costs. Consequently, connected miscellaneous petition are closed.

12.06.2019

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

To

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