

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.24815 to 24818 of 2004
and

W.P.M.P.Nos. 30170 to 30173 of 2004

Thambi Modern Spinning Mills Ltd., Unit - I
Rep. By its Authorised Signatory
P.Rajasekaran
Omalur Main Road
Jagir Ammanpalayam
Salem - 5.

...Petitioner in W.P.No.24815 of 2004

Thambi Modern Spinning Mills Ltd.,
Unit - III
Rep. By its Authorised Signatory
P.Rajasekaran
Opp: TNEB Sub-Station
Kamarajar Nagar Colony (PO)
Salem - 636 014.

...Petitioner in W.P.No.24816 of 2004

Thambi Modern Spinning Mills Ltd.,
Unit - II
Rep. By its Authorised Signatory
P.Rajasekaran
Opp: TNEB Sub-Station
Kamarajar Nagar Colony (PO)
Salem - 636 014.

...Petitioner in W.P.No.24817 of 2004

Thambi Delta Dyeing Plant
Division of Thambbi Modern Spg.Mills Ltd.,
Rep. By its Authorised Signatory
P.Rajasekaran
Kombaipatti Village
Gorimedu
Salem

...Petitioner in W.P.No.24818 of 2004

Vs

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

2. The Superintending Engineer,
Salem Electricity Distribution Circle,
Salem ... Respondents in all Writ Petitions

Prayer in W.P.No.24815 of 2004: Writ Petitions filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in its proceedings in Letter No. SEDC/A/CS.BR/AOR/HT/A/F. COURT CASE/PR.410/2004 Dated 11.08.2004 and quash the same and permit the Petitioner to pay the accrued Peak Hour Consumption Charges alone as on date by 36 monthly installments.

Prayer in W.P.No.24816 of 2004: Writ Petitions filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in its proceedings in Letter No. SEDC/A/CS.BR/AOR/HT/A3/F. COURT CASE/PR.411/2004 Dated 11.08.2004 and quash the same and permit the Petitioner to pay the accrued Peak Hour Consumption Charges alone as on date by 36 monthly installments.

Prayer in W.P.No.24817 of 2004: Writ Petitions filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in its proceedings in Letter No. SEDC/A/CS.BR/AOR/HT/A3/F. COURT CASE/PR.412/2004 Dated 11.08.2004 and quash the same and permit the Petitioner to pay the accrued Peak Hour Consumption Charges alone as on date by 36 monthly installments.

Prayer in W.P.No.24818 of 2004: Writ Petitions filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in its proceedings in Letter No. SEDC/A/CS.BR/AOR/HT/A3/F. COURT CASE/PR.413/2004 Dated 11.08.2004 and quash the same and permit the Petitioner to pay the accrued Peak Hour Consumption Charges alone as on date by 36 monthly installments.

For Petitioners : Mr.M.Kamalanathan
(in all Writ Petitions)

For Respondents : Mr.S.K.Rameshuwar
(in all Writ Petitions)

C O M M O N O R D E R

The issues involved in these writ petitions are in relation to the payment of Peak Hour Consumption Charges by installments. The Peak Hour Consumption charges are raised in these present writ petitions are in connection with the usage of Electricity during the relevant point of time in the year 2004. Now, after a lapse of 14 years, the issues raised in these present writ petitions deserves no further adjudication and Accordingly, all the writ petitions stand closed.

2.This apart, the payment of Peak Hour consumption charges are approved by the Honourable Supreme Court of India in favour of the Electricity Board in the case of Magna Electro Castings Limited Vs. The State of Tamil Nadu & Others, reported in 2005 0 Supreme (Mad) 1410. Accordingly, all the writ petitions stand closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kak/kmm
To

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

W.P.Nos.24815 to 24818 of 2004

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CSL/05.02.2019