



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.27434 & 27435 of 2004
&
WMP Nos.33346 to 33348 f 2004

Thanjavur Spinning Mills Ltd.,
Vallam One Road, Thanjavur-613 001,
Rep. By its General Manager,
Shri S.Kanthimathinathan

...Petitioner in both WPs

Vs.

- 1.The Tamil Nadu Electricity Board,
Rep. By its Chairman,
800, Anna Salai,
Chennai-600 002.
- 2.The Member-Generation,
Tamil Nadu Electricity Board,
Second Floor, High Rise Building,
801, Anna Salai, Chennai-600 002.
- 3.The Chief Engineer-Commercial,
Tamil Nadu Electricity Board,
Second Floor, High Rise Building,
801, Anna Salai, Chennai-600 002.

...Respondents in both
WPs

Prayer in W.P.No.27434 of 2004: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of declaration, declaring that the action of the first respondent in seeking to levy peak hour consumption charges for the energy consumed by the petitioner without adjusting it with the energy produced during peak hours as being wholly arbitrary, illegal and pass such further or other order or orders as this Court may deem fit and proper in the facts and circumstances of the case.
Prayer in W.P.No.27435 of 2004: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent board to forthwith make necessary adjustment and/or install necessary equipment or meter at the petitioner's wind mill to record the power produced and



exported during peak hours and calculate the HT (High Tension) bill after adjusting the power produced during peak hours with the power consumed during the same period and to further refund the peak hour consumption charges levied and collected by calculating the excess charges collected under the head 'peak hour consumption' from 6.11.2003, being the date of judgment of this Court.

For Petitioner : Ms.S.Rekha for
(in both WPs) M/s.R.Parthasarathy
For Respondents : M/s.P.R.Dilipkumar
(in both WPs)

COMMON ORDER

Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner has submitted that the relief sought for in these writ petitions has become infructuous. He has also made an endorsement to that effect in the bundle.

2.In view of the submissions made by the learned counsel for the petitioner and also in view of the endorsement made, these writ petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Tamil Nadu Electricity Board,
Rep. By its Chairman,
800, Anna Salai,
Chennai-600 002.
- 2.The Member-Generation,
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3. The Chief Engineer-Commercial,
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+1cc to Mr.S.K.Rameshwar, Advocate sr.57445

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nr 29/08/2019