

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.28191 of 2008

M/s.Meenakshi Udyog India (P) Ltd,
No.19, III Floor,
Alsa Mall, 4, Montieth Road,
Egmore, Chennai - 600 008.
Rep. by its Director,
Mr.Salil Bansal,

.... Petitioner

Vs

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

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the Second Respondent to comply with the orders of the Ombudsman dated 07.11.2006 and consequently direct him to adjust or refund the excess amount collected from the petitioner.

For Petitioner : Mr.K.Seshadri

For Respondents : Mr.M.Varunkumar

ORDER

Seeking a direction to the second respondent to comply with the orders of the Ombudsman dated 07.11.2006, the petitioner has come up with this writ petition.

2.According to the learned counsel for the petitioner, the petitioner has filed OP.No.13 of 2006 as against the order dated 05.12.2005 passed by the second respondent, demanding charges under HT Tariff III (Commercial); the Tamil Nadu Electricity Ombudsman has disposed of the said petition, by setting aside

the order dated 05.12.2005 and restoring the earlier decision dated 13.07.2005, which refunded the difference in commercial tariff and industrial tariff; aggrieved against the same, the second respondent preferred WP.No.6199 of 2007, which was dismissed by this Court by order dated 14.08.2007; even thereafter, the second respondent has not complied with the orders of the Ombudsman, till date; and hence, the petitioner is before this Court with this writ petition.

3.The learned counsel for the respondents submitted that the second respondent would comply with the orders of the Ombudsman, if not already done, within a time frame to be stipulated by this Court.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the second respondent to comply with the orders of the Ombudsman dated 07.11.2006 in OP.No.13/2006, if not already complied with, by passing appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jas/rk

To

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

2.The Superntending Engineer,
Dharmapuri Electricity Distribution Circle,
Dharmapuri.

+1 cc to Mr.K.Seshadri, Advocate, Sr.No. 2642

+1 cc to Mr.M.Varunkumar, Advocate, Sr.No. 2695

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GJ(CO)
CSL/25.04.2019