

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2019

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.17564 and 17565 of 2010

R.R.D. Tex (Unit of Best Corporation Ltd.),  
HT SC No.271,  
SF No.607, Suriyanallur Village,  
Vengipalayam Post,  
Dharapuram - 638703.  
Rep. By its Manager P.Muthukrishnan

.. Petitioner in W.P.No.17564/10

Best Cotton Mills,  
HT SC No.129,  
Pollachi Road, Dharapuram,  
Tirupur District.  
Rep. By its Manager P.Muthukrishnan

.. Petitioner in W.P.No.17565/10

Vs

1.Tamil Nadu Electricity Regulatory Commission,  
Rep. By its Secretary,  
19-A, Rukmini Lakshmipathy Salai,  
(Marshall's Road), Egmore, Chennai - 8.

2.The Chairman,  
Tamil Nadu Electricity Board,  
144, Anna Salai, Chennai - 2.

3.The Superintending Engineer,  
Udumalpet Electricity Distribution Circle,  
Tamil Nadu Electricity Board,  
Udumalpet.

.. Respondents 1 to 3 in both WPs

4.The Assistant Executive Engineer,  
Electricity Distribution,  
Tamil Nadu Electricity Board,  
Kundadam, Dharapuram.

.. 4<sup>th</sup> Respondent in W.P.No.17564/2010

5.The Assistant Executive Engineer,  
Electricity Distribution,  
Tamil Nadu Electricity Board,  
Dharapuram West, Dharapuram.

.. 4<sup>th</sup> Respondent in W.P.No.17565/2010

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records of the fourth respondent in Nos.AEE/O&M/KDM/D.No. 09-10 and AEE/WEST/DPM/D.No.Camp/10-11/2010, dated 22.07.2010 and 24.07.2010 respectively and quash the same insofar as it relates to restriction of consumption to 5% for the next 48 hours without permitting the petitioners to avail the demand generated in their wind mills as illegal, against the orders passed in M.P.No.42 of 2008 and Suo-moto proceedings No.1 of 2009 by the first respondent.

For petitioner : Mr.R.S.Pandiyaraj

For R2 to R4 :Mr.S.K.Raameshwar,Standing Counsel

For R1 : No Appearance

#### COMMON ORDER

When the matter is taken up, learned counsel appearing on either side stated that the issue raised in these writ petitions is pending consideration before the Hon'ble Apex Court in Civil Appeal Nos.1090-1099 of 2011, hence, subject to the result of the Civil Appeals, these matters may be disposed of.

2. Since the issue raised in the present writ petitions has already been seized by the Hon'ble Apex Court in Civil Appeal Nos.1090-1099 of 2011 and an interim order dated 04.02.2011 has also been passed directed the Tamil Nadu Electricity Board to furnish the Bank Guarantee of a Nationalized Bank in favour of the Registrar (Judicial) of the Hon'ble Apex Court, these writ petitions are disposed of directing the respondents to maintain the status-quo as on date. Subject to the outcome of the pending Civil Appeals before the Hon'ble Apex Court, the parties may seek remedy in the manner known to law. Consequently, connected miscellaneous petitions are closed. No Costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rkm

To

1.The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmipathy Salai,  
(Marshall's Road),  
Egmore, Chennai - 8.

2.The Chairman,  
Tamil Nadu Electricity Board,  
144, Anna Salai, Chennai - 2.

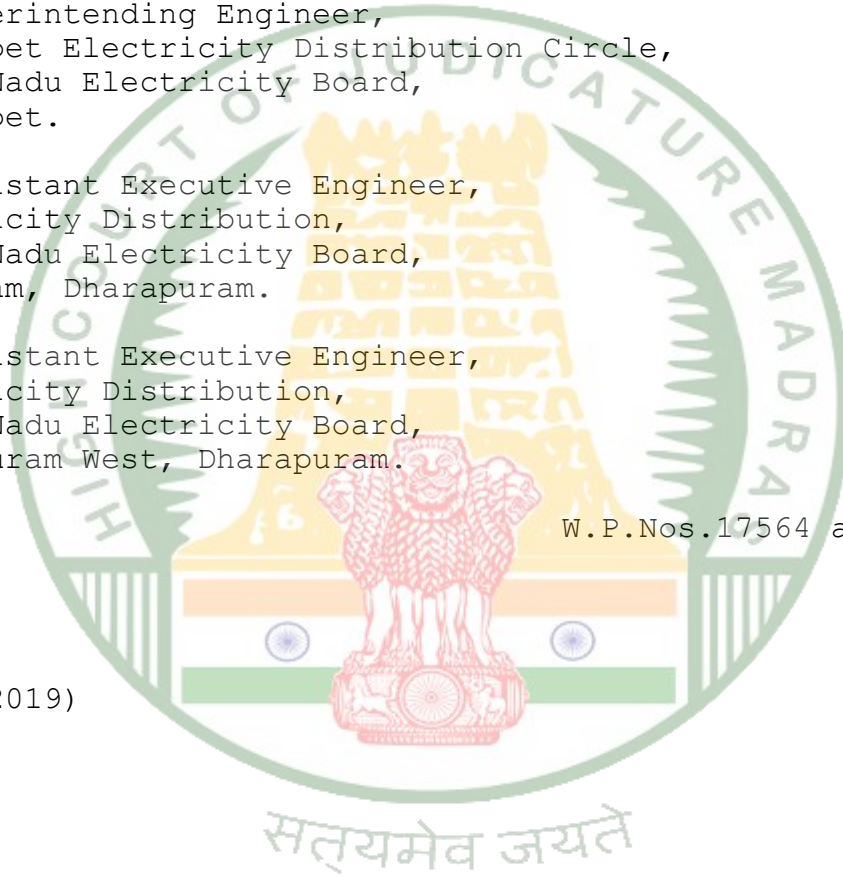
3.The Superintending Engineer,  
Udumalpet Electricity Distribution Circle,  
Tamil Nadu Electricity Board,  
Udumalpet.

4.The Assistant Executive Engineer,  
Electricity Distribution,  
Tamil Nadu Electricity Board,  
Kundadam, Dharapuram.

5.The Assistant Executive Engineer,  
Electricity Distribution,  
Tamil Nadu Electricity Board,  
Dharapuram West, Dharapuram.

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2010

MP (CO)  
GN (05/11/2019)



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