

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 02.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.39317 of 2004

SPAC TAPIOCA PRODUCTS (I) LTD
BY FACTORY MANAGER
S.GOVINDAN

... petitioner

Vs

- 1 THE STATE OF TAMILNADY REP. BY ITS
SECRETARY TO GOVERNMENT
ENERGY DEPARTMENT
FORT ST.GEORGE, CHENNAI.
- 2 THE TAMILNADU ELECTRICITY
BOARD BY CHAIRMAN
ANNA SALAI, CHENNAI.
- 3 THE SUPERINTENDING ENGINEER (TNEB)
GOBI ELECTRICITY DISTRIBUTION CIRCLE
GOBI

.... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Declaration declaring that the Tamil Nadu Tax on Consumption or Sale of Electricity Act, 2003 viz., Act 12 of 2003 as illegal, unenforceable and ultra vires of the Constitution of India insofar as the levy of tax @ 5% on the total consumption of electricity and tax on consumption of self generated electricity through diesel generators under Section 3 of the said Act and consequently direct the respondents to refund the total amount collected towards tax on consumption of electricity under old Act and under the impugned Act insofar as the petitioner is concerned.

For petitioner ... No appearance

For respondents ... Mr.G.B.Rajesh,
Government Advocate, for 1st respondent

Mr.S.K.Raameshuwar,
for respondents 2 and 3

O R D E R

When the Writ Petition was posted for hearing on 21.12.2018, there was no representation for the petitioner. Therefore, the case is posted today under the caption, "for dismissal".

2. Even today, there is no representation for the petitioner. Hence, the Writ Petition is dismissed for non prosecution. No costs. Consequently, W.P.M.P.No.46889 of 2004 is also dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 THE SECRETARY TO GOVERNMENT
ENERGY DEPARTMENT
FORT ST.GEORGE, CHENNAI.
2. THE CHAIRMAN
THE TAMILNADU ELECTRICITY
ANNA SALAI, CHENNAI.
- 3 THE SUPERINTENDING ENGINEER (TNEB)
GOBI ELECTRICITY DISTRIBUTION CIRCLE
GOBI.

+1 cc to the Government Pleader, S.R.No.529

BR(CO)
SSM(26/02/2019)

W.P. No.39317 of 2004

सत्यमेव जयते

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