

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.26628 of 2010 and M.P. No.1 of 2010

M/s.Pullicar Mills Limited,
rep. by the Managing Director

.. Petitioner

-vs-

1.Tamil Nadu Electricity Regulatory Commission,
rep. by its Secretary,
19-A, Rukmani Lakshmipathy Salai,
(Marshalls' Road),
Egmore, Chennai-600 008.

2.Tamil Nadu Electricity Board,
rep. by its Chairman,
New 114 (Old 800), Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
TNEB - Namakkal Electricity
Distribution Circle, Namakkal.

4.The Assistant Executive Engineer,
Operation and Maintenance (North),
Tiruchengodu.

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari to call for the records of the third respondent in Lr.No.SE/NEDC/DFC/HT/AS/Asst/F.Audit/2010 dated 08.11.2010 and quash the same as illegal.

For Petitioner : Mr.S.Sivanandam

For respondents : Mr.S.K.Raameshuwar,
Standing Counsel
for R2 to R4
No appearance for R1

ORDER

The writ petition has been filed challenging the correctness of the impugned order dated 08.11.2010 passed by the third respondent.

2.Learned Standing Counsel appearing for respondents 2 to 4 would submit that at the time of entertaining the writ petition, this Court vide order dated 25.11.2010, directed the petitioner to pay 50% of the penalty amount. Accordingly, the petitioner paid 50% of the penalty amount vide receipt No.437N004606 dated 23.12.2010 and subsequently, vide letter dated 15.02.2011, the petitioner requested the respondents to permit him to pay the balance penalty amount in 12 monthly instalments. Thereafter, the petitioner has paid the balance penalty amount in 5 monthly instalments and therefore, the prayer in the writ petition has become infructuous.

3.Since it is submitted by the learned Standing Counsel appearing for respondents 2 to 4 that the prayer in the writ petition has become infructuous, the writ petition is dismissed as infructuous. Consequently, connected M.P. is closed. No costs.

vga

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Tamil Nadu Electricity Regulatory Commission,
19-A, Rukmani Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai-600 008.

2.The Chairman,
Tamil Nadu Electricity Board,
New 114 (Old 800), Anna Salai,
Chennai - 600 002.

3.The Superintending Engineer,
TNEB - Namakkal Electricity
Distribution Circle, Namakkal.

4.The Assistant Executive Engineer,
Operation and Maintenance (North),
Tiruchengodu.

W.P. No.26628 of 2010 and M.P. No.1 of 2010

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