

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.329 of 2012 and M.P. No.1 of 2012

Shree Bharani Spinings (India) Limited,  
rep. by its Manager Palanisamy

..Petitioner

-Vs-

1.The State of Tamil Nadu,  
rep. by the Secretary to Government,  
Energy Department,  
Secretariat, Fort St. George,  
Chennai-600 009.

2.The Tamil Nadu Electricity Board,  
rep. by its Chairman,  
No.800, Anna Salai,  
Chennai-600 002.

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

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records of the third respondent in his Lr.No.A/cs.Br./HT/AO/A1/F.R&C/D.455/ 2011 dated 23.12.2011 issued by the third respondent quash the same for exceeding quota during evening peak hour as illegal, arbitrary, without the authority of law and against the provisions of Electricity Act, 2003.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.E.Balamurugan,  
Special Government Pleader  
for R1

Mr.S.K.Raameshuwar,  
Standing Counsel  
for R2 and R3

ORDER

Learned counsel appearing for both sides stated that the issue raised in this petition has been pending consideration before the Hon'ble Supreme Court, hence, subject to the result of the Civil Appeal, this matter may be disposed of.

2.Since the issue raised in the present writ petition has already been seized of 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 directing the Tamil Nadu Electricity Board to furnish Bank Guarantee of a Nationalised Bank in favour of the Registrar (Judicial) of the Hon'ble Apex Court, this writ petition is disposed of directing the respondents to maintain status quo as on date. Subject to the outcome of the Hon'ble Apex Court, the parties may seek remedy in the manner known to law. Consequently, connected M.P. is closed. No costs.

vga

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The State of Tamil Nadu,  
rep. by the Secretary to Government,  
Energy Department,  
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3.The Superintending Engineer,  
Erode Electricity Distribution Circle,  
Tamil Nadu Electricity Board, Erode.

+1cc to the Govt.Pleader, Vide Sr.No.79359

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Kak(24/10/2019)