

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.4180 of 2013 and
M.P.No.1 of 2013

N.Dhanalakshmi

.. Petitioner

-vs-

1.The Superintending Engineer,
CEDC Central,
Tamil Nadu Electricity Board,
Valluvarkottam,
Chennai.

2.The Executive Engineer O&M,
CEDC Central,
Tamil Nadu Electricity Board,
Chennai-600 034.

3.The Assistant Engineer O&M,
CEDC Central,
Tamil Nadu Electricity Board,
Chennai-600 034.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certioarified Mandamus, calling for the records of the 3rd respondent in Lr.No.AE/O&M/TPT/CEDC/Central/F.BOAB/D.No.12-13 dated 19.10.2012 and quash the proceedings dated 19.10.2012 and consequently, direct the respondents to refund Rs.50,097/- paid by the petitioner towards the impugned order.

For Petitioner : Mr.V.Ramajegadeesan

For Respondents : Mr.P.R.Dhilip Kumar,
Standing Counsel

ORDER

Mrs.N.Dhanalakshmi, the petitioner herein was directed to settle the arrears of Rs.1,00,193/- towards arrears of CC Charges and short assessment detected by BOAB audit not withdrawn by BOAB Audit by the impugned proceedings of the 3rd

respondent dated 19.10.2012. Questioning the same, the present Writ Petition has been filed.

2. Learned Counsel appearing for the petitioner submitted that the impugned order passed by the 3rd respondent is in violative of Article 14 of the Constitution of India for the reason that when the petitioner has given her explanation along with documents, without considering the same, the present impugned order cannot be passed.

3. At this stage, the learned Standing Counsel for the respondents submitted that the prayer in the writ petition has already become infructuous since the petitioner has sold away the land-in-question surrendering the meter and the arrears amount has also been adjusted.

4. Recording the same, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Superintending Engineer, CEDC Central,
Tamil Nadu Electricity Board,
Valluvarkottam, Chennai.

2.The Executive Engineer O&M,
CEDC Central, Tamil Nadu Electricity Board,
Chennai-600 034.

3.The Assistant Engineer O&M,
CEDC Central, Tamil Nadu Electricity Board,
Chennai-600 034.

+1 cc to M/s.P.R.Dhilipkumar,Advocate Sr.No. 96278

AKM/19.12.19/2P-5C /

W.P. No.4180 of 2013