

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.6566 of 2013 and M.P. No.2 of 2013

Sakthi Auto Component Ltd.,
HTSC No.85,
Mukasi Palladoungampalayam,
Perundurai-638 056 rep. by its
Authorized Signatory J.S.Sivasubramanian .. Petitioner

-vs-

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
No.144, Anna Salai,
Chennai-600 002.
2. Tamil Nadu Electricity Ombudsman,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai-600 008.
3. The Additional Chief Engineer,
Erode Electricity Distribution Circle,
TANGEDCO, 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 Tamil Nadu Electricity Ombudsman, Chennai, in A.P.No.10 of 2012 dated 17.10.2012 on the file of the 2nd respondent and consequently, Demand Letter No.A/Cs.Br/HT/A1/F.HTSC.85/D.78-1/13 dated 05.03.2013 issued by the 3rd respondent, quash the same in so far as it relates to fixation of revised quota - levy of excess charges of peak hour consumption, as illegal, arbitrary, without the authority of law and against the Electricity Act, 2003.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.S.K.Raameshuwar,
Standing Counsel
for R1 and R3

R2 : NA

ORDER

Challenging the order of the 2nd respondent, namely, Tamil Nadu Electricity Ombudsman, Chennai, made in A.P.No.10 of 2012 dated 17.10.2012 and also the consequential Demand Letter dated 05.03.2013 issued by the 3rd respondent, namely, The Additional Chief Engineer, Erode Electricity Distribution Circle, TANGEDCO, Erode and to quash the same, the present Writ Petition has been filed.

2. When the matter is called, the 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.

3. 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
No.144, Anna Salai,
Chennai-600 002.
2. Tamil Nadu Electricity Ombudsman,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai-600 008.
3. The Additional Chief Engineer,
Erode Electricity Distribution Circle,
TANGEDCO, Erode.

+1cc to Mr.R.S.Pandiyaraj, Advocate sr.92335

W.P. No.6566/2013

nr 18/12/2019