

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10394 of 2019

M/s Ananda Steel Industries
C-3, Industrial Estate
Thattanchavady
Puducherry 605 009
rep.by its Managing Partner
P.Parangusam

.. Petitioner

-vs-

1. The Commissioner
Oulgaret Municipality
Puducherry 605 005
2. Assistant Engineer
Lawspet Sub Division
Electricity Department
Puducherry

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the communication dated 22.06.2018 vide Ref: 816/ED/AE-L/23/2018-19 issued by the second respondent and quash the same and forbearing the second respondent from taking any further action as per column 2 of the impugned Notice till such time licence is granted by the first respondent.

For Petitioner :: M/s Usha Ramman

For Respondents :: Mr.Stalin Abhimanyu
Government Advocate (Puducherry)

ORDER

This writ petition has been wrongly filed by the petitioner without even rectifying anyone of the four defects pointed out in the impugned order. When the petitioner came to this Court on an earlier occasion with Writ Petition No.5725 of 2017 challenging the demand notice for payment of Rs.87,152/-, this Court, by order dated 9.3.2017, taking note of the fact that the petitioner deserved an opportunity of personal hearing before

issuing the demand notice, disposed of the writ petition directing the Commissioner, Oulgaret Municipality to consider the objection dated 2.5.2016 after giving reasonable opportunity of personal hearing to the petitioner and pass appropriate orders. Pursuant to the direction issued by this Court on 9.3.2017 in W.P.No.5725 of 2017, the present impugned order has been passed calling upon the petitioner to rectify the four defects which are shown in the right side column of the impugned order.

2. The learned counsel for the petitioner submitted that sofaras the second defect is concerned, unless the Municipality comes forward to give the valid licence for LT industrial service, it is not possible to produce the same. Therefore, the petitioner has to approach the Oulgaret Municipality and obtain the valid municipal licence for LT industrial service. He has also stated that the petitioner has also filed an application for getting the said service.

3. In view of the above, the petitioner has to wait and get the valid municipal licence for LT industrial service and produce the same before the authority. In respect of other defects also, this Court is unable to find any error in the impugned order. Therefore, the writ petition is dismissed. The petitioner shall rectify the defects pointed out in the impugned order and approach the authority for further action in the matter. Consequently, W.M.P.No.10929 of 2019 is also dismissed. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

ss

Sub Assistant Registrar

To

1. The Commissioner
Oulgaret Municipality
Puducherry 605 005
2. The Assistant Engineer
Lawspet Sub Division
Electricity Department
Puducherry

+1 cc to the Government Pleader, S.R.No.34903

W.P.No.10394 of 2019

RJI (CO)

SSM(08/05/2019).