

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11191 of 2010

Andhra Social & Cultural Association,
Rep. by its Honorary Secretary,
No.22, (old No.44),
Vijayaraghava Road,
Chennai-600 017.

...Petitioner

Vs.

1.TamilNadu Electricity Regulatory Commission,
Represented by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-600 008.

2.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai-600 002.

3.The Superintending Engineer,
Chennai Electricity Distribution Circle/Central,
Tamil Nadu Electricity Board,
Chennai-600 034.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari, calling for the records of the 3rd respondent in Notice Lr.No.SE/CEDC/CDFC/AAO/HT/AS/D.No.395/2010 dated 17.05.2010 and quash the same in so far as it relates to levy of penalty for exceeding quota during evening peak hour as illegal, arbitrary and against the orders of the first respondent dated 04.05.2010 of the petitioner concerned therein.

For Petitioner : Mr.P.Sukumar

For Respondents: Mr.P.R.Dhilipkumar

O R D E R

The learned Counsel appearing on behalf of the respondents submitted that the issue raised in the present Writ Petition is pending before the Hon'ble Apex Court, Chennai, which has been directed to furnish Bank Guarantee of a Nationalised Bank in favour of the Registrar (Judicial) of the Supreme Court in the sum of Rupees Seventy Five Crores within two weeks. On furnishing such Bank Guarantee, impugned judgment is stayed.

2.In view of the above order made by the Hon'ble Supreme Court, this Writ Petition is disposed of with liberty to agitate the issue after the disposal of the case by the Hon'ble Supreme Court. No costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
TamilNadu Electricity Regulatory Commission,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road)
Egmore, Chennai-600 008.
- 2.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai-600 002.
- 3.The Superintending Engineer,
Chennai Electricity Distribution Circle/Central,
Tamil Nadu Electricity Board,
Chennai-600 034.

+1cc to Mr.P.R.Dhilip Kumar, Advocate, SR.No.59432
+1cc to Mr.J.Pothiraj, Advocate, SR.No.59621

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Kak(27/09/2019)