

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 25th day of January, 2019

LOK ADALAT ORDER

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr. Daniel Haridoss
Mr. V.Shanmugasundaram

W.P.No.26211 of 2017 and WMP.No.27857 of 2017

Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus or any other appropriate writ, order or direction in the nature of writ of Certiorarified Mandamus calling for the records pertaining to the impugned Demand notice in Lr.No.SE /CEDC / N/EEGI / AEE / GL /AEGI / F.TOE / D.No.1958/2017 dated 19.09.2017 passed by the respondents and quash the same as illegal, arbitrary and against the Board's proceedings dated 10.04.2002 and consequently direct the respondents to implement the orders of the Board dated 10.04.2002 to calculate the extra levy as ordered thereon to move the Lok Adalat and pass such further or other orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Sri Rama Machinery Corporation,
101, Basi Road,
Thiruvottiyur, Chennai - 600 019,
Rep.by its Director
Mr.Ashok Kumar Goel.

... Petitioner

Vs.

1.The Chairman and Managing Director,
TANGEDCO Ltd,
144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
Chennai Electricity Distribution Circle / North,
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.

... Respondents

This case has been listed today and came up for settlement before the Lok Adalat. The learned counsel for the petitioner Mr.K.Seshadri and Mr.Ganesh, Manager are present. The learned counsel for the Respondents 1 & 2 Mr.Venkatesh for Mr.P.R.Dhilip

Kumar and Mr.Ramachandran, Executive Engineer for TNEB are also present.

O R D E R

The Petition in W.P.No.26211 of 2017 pending on the file of High Court, Madras has been referred to Lok Adalat for conciliation today.

2. The Writ Petitioner assisted by counsel Mr.K.Seshadri and Mr.Ganesh, Manager and the Respondents 1 and 2 represented by counsel Mr.Venkatesh for Mr.P.R.Dhilip Kumar and Mr.Ramachandran, Executive Engineer for TNEB are present before Lok Adalat today for conciliation. The Writ Petitioner has filed this writ petition against the respondents praying this Hon'ble High Court to issue a writ of certiorarified mandamus or any other appropriate writ, order or direction in the nature of writ of Certiorarified Mandamus calling for the records pertaining to the impugned Demand notice in Lr.No.SE/CEDC/N/EEGI/ AEE / GL /AEGI / F.TOE / D.No.1958/2017 dated 19.09.2017 passed by the respondents and quash the same as illegal, arbitrary and against the Board's proceedings dated 10.04.2002 and consequently direct the respondents to implement the orders of the Board dated 10.04.2002 to calculate the extra levy as ordered thereon to move the Lok Adalat and pass such further or other orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

3. After great deliberation and discussion both parties have compromised the dispute between them and made joint endorsement on the writ petition as follows:
"The petitioner Consumer in WP.No.26211 of 2011 has accepted to settle the amount of Rs.1,71,68,204/- (Rupees One crore Seventy One Lakhs Sixty Eight Thousand Two Hundred and Four only) within a period of one month (i.e. 25.02.2019) and after payment, the respondents TANGEDCO has accepted to effect service connections received by the consumer within one week. All further proceeding will be treated as closed by the parties, and no criminal proceedings will be initiated by the respondents against the petitioner in any Court of Law. Similarly, the petitioner will not initiate any proceedings in this regard in any Court of Law against the Respondents".

4. In view of compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the award is passed in terms of Joint Endorsement made by both parties and counter signed by the counsel concerned. No order as to costs. Award is passed accordingly. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Sri Rama Machinery Corporation,
101, Basi Road,
Thiruvottiyur, Chennai - 600 019,
Rep.by its Director
Mr.Ashok Kumar Goel.

Sd/-

Counsel for the petitioner

Sd/-

1.The Chairman and Managing Director,
TANGEDCO Ltd,
144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
Chennai Electricity Distribution Circle / North,
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.

Sd/-

Counsel for the Respondents

The full Court fee paid shall be refunded to the petitioners in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-
JUDGE

Sd/-
MEMBER

Sd/-
MEMBER

Sd/-

Assistant Registrar

//True Copy//

WEB COPY

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

1.The Chairman and Managing Director,
TANGEDCO Ltd, 144,
Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
Chennai Electricity Distribution Circle / North,
TANGEDCO, 144, Anna Salai, Chennai - 600 002.

3.The Secretary,
High Court Legal Services Committee,
Chennai.

4.The Section Officer,
Writ Section, High Court,
Madras.

5.The Section Officer,
Lok Adalat Section, High Court,
Madras. + 2 copies

Drl

+1cc to Mr.K.Seshadri, Advocate, S.R.No.5905

W.P.No.26211 of 2017

PPA (CO)
GN(05/03/2019)



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