



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.5237 of 2019
and W.M.P.(MD).No.4191 of 2019

S.Sridhar

.. Petitioner

Vs.

1.The Chief Engineer,
Non Conventional Energy Sources,
TANGEDCO,
2nd Floor, Eastern Wing,
144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
Karur Electricity Distribution Circle,
TANGEDCO,
No.3, Kovai Road, Karur - 639 002.

3.M/s.Shankar Abodes Solar Private Limited,
represented by its Director,
28/38, Bharathi Nilayam, 3rd Cross,
Thillai Nagar, Trichy - 620 018.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, forbearing the 1st respondent from giving approval to the 3rd respondent to make use of the petitioner's 15MW transmission line laid between the 3rd respondent's 2 MW solar power plant at Hiraniyamangalam Village, Sivamayam Village in Kulithalai Taluk, Karur District and Ayyarmalai Sub Station in Kulithalai Taluk, Karur District and the common infrastructure erected at Ayyarmalai Sub Station without a valid line sharing agreement between the petitioner and the 3rd respondent except the usage of 2MW transmission line and common infrastructure allotted to the 3rd respondent vide Letter of Intent dated 10.02.2017.

For Petitioner : Mr.J.Jeyakumaran

For Respondents: Mrs.Parameswari for
Mr.SMS.Johnny Basha for R1, R2
Standing Counsel
Mr.ARL.Sundaresan
Senior counsel for M/s.R.Sridevi for R3



ORDER

(This petition was heard through the Video Conferencing)

When the matter is taken up today for final hearing, the learned Counsel for the petitioner seeks permission of this Court to withdraw this Writ Petition. He has also sent an email to that effect to the email ID mentioned in the cause list today.

2. In the earlier order passed on 12.10.2020, by mistake, the submission of Mr.A.R.L.Sundaresan, learned Senior Counsel for the 3rd respondent, was wrongly recorded as follows:

"4. However, on the side of the third respondent, Mr.A.R.L.Sunderasan, learned Senior Counsel would submit that there is an electricity line sharing agreement between the petitioner and the third respondent which has been suppressed by the petitioner. It is his contention that the petitioner has suppressed certain details also while filing this Writ Petition. It is also submitted that if at all there is any dispute in the line sharing agreement between the petitioner and the third respondent, the said grievance can be remedied only through arbitration or through a civil suit. It is also submitted by the learned Senior Counsel that the petitioner's counsel has been repeatedly seeking adjournments in this matter on some pretext or other. It is also submitted by him that no interim order has been granted by this Court and despite the same, the respondent Nos.1 and 2 are not considering the third respondent's request for grant of electricity service connection."

3. Today, the learned Senior Counsel for the 3rd respondent represented that his submission was that there is no electricity line sharing agreement between the petitioner and the 3rd respondent. The same is corrected by this Court.

4. Recording the submission of the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

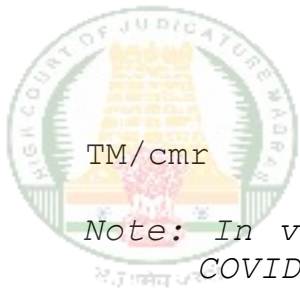
Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



TM/cmr

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to M/s.R. SRIDEVI, Advocate (SR-21192[F]
dated 04/11/2020)

W.P (MD) .No.5237 of 2019

02.11.2020

VR(CO)
NR (10/11/2020) 3P : 2C