



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twentieth day of November Two Thousand and Twenty

PRESENT

The Hon'ble Mr.Justice ABDUL QUDDHOSE

WMP(MD). No.13798 of 2020
in
WP(MD).No.9324 of 2010

K.Dominic

... Petitioner/Petitioner

Vs

1 The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Tuticorin Electricity Distribution Circle Town (North),
Tuticorin.

2 The Superintendent Engineer,
Tamil Nadu Electricity Board,
Tuticorin Electricity Distribution Circle Town (North)
Tuticorin.

... Respondents/Respondents

Prayer :-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, praying this Court to Restore the Writ Petition in W.P.(MD).No.9324 of 2010 on file of this Honourable Court which was dismissed for non prosecution dated 14.10.2020.

Prayer in WP(MD).No.9324 of 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI or any other appropriate writ, order or direction in the nature of writ, calling for the records of the 1st respondent in Letter No.2 Executive Engineer / Distribution / N / North / Tuticorin / Ko.Theft of Energy A.963/10 dated 13.7.2010 and quash the same.

ORDER:-

Writ Miscellaneous Petition is coming up for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.Vadivelan, Advocate for the Petitioner and of Ms. M.Rajeswari, Advocate For Mr.S.M.S.Johnny Basha, Standing Counsel For Respondents, this Court made the following order:

This petition is filed to restore W.P.(MD)No.9324 of 2010, which was dismissed for non-prosecution on 14.10.2020.



2.This Court is satisfied with the reasons contained in the affidavit filed in support of the application to restore the Writ Petition in W.P.(MD)No.9324 of 2010, which was dismissed for default on 14.10.2020.

3.Accordingly, W.M.P.(MD)No.13798 of 2020 is allowed as prayed for and the Writ Petition in W.P.(MD)No.9324 of 2010 is restored to file. Post the main Writ Petition for hearing on 14.12.2020.

4.The interim direction earlier granted by this Court in M.P.(MD)No.1 of 2010 is restored on condition that the petitioner pays a sum of Rs.3,00,000/- to the respondents on or before 14.12.2020.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1 The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Tuticorin Electricity Distribution Circle Town (North),
Tuticorin.
- 2 The Superintendent Engineer,
Tamil Nadu Electricity Board,
Tuticorin Electricity Distribution Circle Town (North)
Tuticorin.

Copy to:

The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.
(For Posting the matter on 14/12/2020)

+1CC to Mr.S.Nedumaran, Advocate, SR.No.22422.

ORDER DATED : 20/11/2020

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ORDER

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**WMP(MD)No.13798 of 2020 in
WP(MD)No.9324 of 2010**

NS (CO)

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