



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2020

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE A.P.SAHI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD**

W.A.[MD]Nos.1153 and 1154 of 2014

and

M.P.[MD]Nos.2, 2, 3 and 3 of 2014

W.A. (MD) No.1153 of 2014:-

M/s.Sree Kaderi Ambal Mills Limited
A Unit of HT SC No.46,
Perattukottai Village,
Shanmuganathapuram-632314,
represented by its Managing Director,
SV.Pethaperumal.

: Appellant/Petitioner

Vs.

1.The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Sivaganga Electricity Distribution Circle,
TANGEDCO Limited,
Sivaganga.

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 18.07.2014 passed in M.P.(MD)No.1 of 2014 in W.P.(MD)No.8320 of 2014, by a learned Single Judge of this Court.

Prayer in MP(MD)No. 1/ 2014 in WP(MD).8320/2014 :

This Petition filed under Article 226 of Constitution of India praying to grant an interim stay of the operation of the impugned orders issued by the 2nd Respondent in Letter No.SE/SEDC/SVGA/DFC/HT/AS/D207 dated 28.4.2014 and Lr.No.SE/SEDC/SVGA/DFC/HT/AS/F.HT NO Corres/D.236/2014 dated 12.5.2014 .



Prayer in WP(MD). 8320/ 2014 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order in Letter No.SE/SEDC/SVGA/DFC/HT/AS/D207 dated 28.4.2014 and Lr.No.SE/SEDC/SVGA/DFC/HT/AS/F.HT NO Corres/D.236/2014 dated 12.5.2014 issued by the 2nd Respondent and Quash the same as illegal, arbitrary and untenable under Law and consequently direct the Respondents to adjust the ACCD of R.26,68,892/- from and out of Rs.2,13,38,707/- with interest payable to the petitioner.

For appellant : Mr.S.Karunakar

For respondents : Mrs.S.Srimathy

W.A. (MD)No.1154 of 2014:-

M/s.Sree Kaderi Ambal Mills Limited
B Unit of HT SC No.75,
Perattukottai Village,
Shanmuganathapuram - 632314,
represented by its Managing Director,
SV.Pethaperumal.

: Appellant

Vs.

1.The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Sivaganga Electricity Distribution Circle,
TANGEDCO Limited,
Sivaganga.

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, against the order, dated 18.07.2014, passed in M.P.(MD)No.2 of 2014 in W.P.(MD)No.8321 of 2014 by a learned Single Judge of this Court.

Prayer in MP(MD). 2/ 2014 in WP(MD).8321/2014 :

This Petition filed under Article 226 of Constitution of India praying to grant an Interim Stay of the operation of the impugned orders issued by the 2nd respondent in Letter No.SE/SEDC/SVGA/DFC/HT/AS/D207 dated 28.04.2014 and Lr.No.SE/SEDC/SVGA/DFC/HT/AS/F.HT NO Corres/D.236/2014 dated 12.5.2014 .



Prayer in WP(MD). 8321/ 2014 :

This Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order in Letter No.SE/SEDC/DFC/HT/AS/D207 dated 28.04.2014 and Lr.No.SE/SEDC/SVGA/DFC/HT/AS/F.HT NO Corres/D.236/2014 dated 12.5.2014 issued by the 2nd respondent and Quash the same as illegal arbitrary and untenable under Law and consequently direct the respondents to adjust the ACCD of Rs.34,80,005/- from and out of Rs.2,13,38,707/- with interest payable to the petitioner.

For appellant : Mr.S.Karunakar

For respondents : Mrs.S.Srimathy

COMMON JUDGMENT

[Judgment of the Court was delivered by
Subramonium Prasad, J.]

Both the appeals have been preferred against interim orders dated 18.07.2014, whereas the main Writ Petitions themselves have been disposed of on 27.01.2015.

2. Learned Counsel for the appellant states that he received instructions from his client to withdraw these appeals, as the Writ appeals became infructuous. He has also made an endorsement to that effect in the memorandum of W.A.(MD).No.1153 of 2014.

3. In view of the instructions given by the appellant and in view of the statement given by the learned Counsel for the appellant, these Writ Appeals are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gcg/cmr



To

1.The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Sivaganga Electricity Distribution Circle,
TANGEDCO Limited,
Sivaganga.

+1 CC to Mr.S.KARUNAKAR, Advocate (SR-8239[F] dated 25/02/2020)

JUDGMENT MADE IN
W.A.[MD]Nos.1153 and 1154 of 2014
and
M.P.[MD]Nos.2, 2, 3 and 3 of 2014

24.02.2020

VB(17.03.2020) 4P 4C