



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.20934 of 2021

MRF Limited,
Rep. By its General Manager,
Arakonam- Tiruttani Road,
Ichiputhur,
Arakonam-631003.

... Petitioner

-Vs-

1. The Chief Electrical Inspector to the Government
Thiru-Vi-Ka Industrial Estate,
Guindy,
Chennai-600032.

2. The Electrical Inspector,
No.19, 1st Floor,
10th East Main Road,
Gandhi Nagar East,
Vellore-632006.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the 1st Respondent in Letter No.12083/al/2019-463 dated 12.03.2020, demanding tax for the period of 14.2015 to 01.2020 and quash the same as being without jurisdiction and ultra vires the provisions of the Tamil Nadu tax on Consumption or Sale of Electricity Act, 2003.

For Petitioner : Mr. M.Vijayan
M/s.King and Patridge

For Respondents : Mr. L.Jai Venkatesh
Standing Counsel

O R D E R

This writ petition has been filed challenging the impugned letter of the respondents dated 17.03.2021, wherein the



petitioner has been directed to pay the E-tax as a condition precedent for issuance of the safety certificate.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

3. The learned counsel for the petitioner submitted that the petitioner has also filed an appeal before the 1st respondent and the same is pending. That apart, the petitioner also brought to the notice of this Court the earlier order passed in this regard wherein there was a direction to the respondents to consider the issuance of safety certificate, subject to the result of the batch of writ petitions wherein the payment of E-tax has been questioned.

4. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the earlier orders passed by this Court, there shall be direction to the 2nd respondent to consider the request made by the petitioner for issuance of the safety certificate and the same shall be issued subject to the result of the writ petitions challenging the demand of Electricity tax on consumption through open access from power exchange. This process shall be completed by the 2nd respondent within a period of 2 weeks from the date of receipt of the copy of this order. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rka/sha

To

1. The Chief Electrical Inspector to the Government
Thiru-Vi-Ka Industrial Estate,
Guindy,
Chennai-600032.



2. The Electrical Inspector,
No.19, 1st Floor,
10th East Main Road,
Gandhi Nagar East,
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+1CC to M/s.King & Partridge, Advocate, Sr.No.50247
+1CC to Mr.Government Pleader, Sr.No.50896

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NR (CO)
K.RK. (26.10.2021)