



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 08th day of April 2022

WEB COPY

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.THANIKACHALAM (Retd.)

and

Member

Mr.P.Ganesan

CMA.No.2676 of 2016

(Appeal against the judgment and decree dated 30.08.2016 made in I.A.No.76 of 2012 in O.P.No.80 of 2011 on the file of the District Judge of the Nilgiris at Udhagamandalam (Exercising special jurisdiction under Section 156 of Electricity Act 2003 as a special Court)

Tea Estates India Ltd., (at present known as M/s Thaishola Plantations) H.T.S.C New No.22, Old No.291, Devershola Tea Factory, Gudalur, the Nilgiris 643 207 rep. By Assistant Manager, R.Ravanan

...Appellant

Vs.

1.TNEB at present known as "TANGEDCO LTD.,")
Rep. by its Superintending Engineer,
NEDC, Udhagamandalam.

2.The Assistant Executive Engineer, Distribution,
TNEB (At present known as TANGEDCO) Gudalur.

3.The Division Engineer, Electrical (at present
known as EE, TANGEDCO) Coimbatore
Electricity System, North, Udhagamandalam.

...Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.C.S.Krishnamoorthy, Counsel for the petitioner and Mr.J.Hemalatha Gajapathy, Standing Counsel for TNEB are present.



TERMS OF SETTLEMENT

The respondent / TNEB for the alleged theft of energy, issued notice to the appellant, to pay a sum of Rs.69,83,618/-. Questioning the same, the petitioner filed the case before the Special Court (District Court) Udagamandalam and the said Court dismissed the petition, as not maintainable. Against that order, the petitioner / appellant challenging the same by way of Civil Miscellaneous Petition and this case is coming for settlement before us.

2. Though the original demand was Rs.69,83,618/-, the same was revised as per the new formula which came to Rs.34,91,809/-. Out of this amount so far Rs.30,00,000/- paid, leaving the balance of Rs.4,91,809/-. At present, apart from merit of the case, the appellant is willing to pay the balance of Rs.4,91,809/- in three instalments, as per the memo filed and the same is also acceptable by the respondent / Electricity Board. Memo is recorded. In view of the settlement reached as per the memo, the following order is passed.

3. The appellant / Tea Estate is directed to pay equated monthly instalment as per the memo with default clause, in the case of none compliance of the conditions mentioned in the memo. Memo is recorded. Memo shall form part of the order. Accordingly, the Civil Miscellaneous Appeal is disposed of.

Sd/-

Tea Estates India Ltd.,
(at present known as M/s.Thaiashola Plantations)
H.T.S.C New No.22, Old No.291,
Devershola Tea Factory, Gudalur,
The Nilgiris 643 207
Rep. By Assistant Manager,
R.Ravanan

Sd/-

Counsel for the Appellant

Sd/-

- 1.TNEB at present known as "TANGEDCO LTD.,")
Rep. by its Superintending Engineer,
NEDC, Udhagamandalam.
- 2.The Assistant Executive Engineer, Distribution,
TNEB (At present known as TANGEDCO) Gudalur.
- 3.The Division Engineer, Electrical
(at present known as EE, TANGEDCO) Coimbatore
Electricity System, North, Udhagamandalam.

Sd/-

Counsel for the Respondents 1 to 3



This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant in the manner provided under 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/-
Sd/- Judge
Member

Encl.: Xerox copy of the Joint Memo of Compromise

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

adl

To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal,
District Judge of the Nilgiris at Udhagamandalam.
- 2.The Secretary,
High Court Legal Services Committee,
Chennai.
- 3.The Section Officer,
V.R.Section,
High Court, Madras.
- 4.The Section Officer,
Lok Adalat Section,
High Court, Madras.+2 copies

C.M.A.No.2676 of 2016

AD(CO)
PBS (22/04/2022)