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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

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THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.21047 of 2012  
and M.P.Nos.1 and 2 of 2012

Devi Polymers Private Limited,  
Represented by its Director K.N.Krishnaswamy,  
No.48, Anna Salai, Chennai - 600 002. ... Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory Commission,  
Rep. by its Secretary,  
19-A, Rukmini Lakshmi pathy Salai (Marashall's Road),  
Egmore, Chennai - 600 008.
2. Tamil Nadu Generation and Distribution  
Corporation Ltd. (TANGEDCO),  
Rep. by its Chairman and Managing Director,  
144, Anna Salai, Chennai - 600 002.
3. The Superintending Engineer,  
Chennai Electricity Distribution Circle/South,  
Tamil Nadu Generation and Distribution  
Corporation Ltd., (TANGEDCO),  
110 KV SS Complex, Anna Main Road,  
K.K.Nagar, Chennai - 600 078. ... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent culminating in his impugned proceedings bearing Lr.No.SE/CEDC/S/DFC/AAO/AS/HT/SC No.303/D.727/12, dated 27.07.2012, quash the same as illegal and contrary to Regulation 5 (5) (ii) (a) of the Tamil Nadu Electricity Supply Code and consequently direct the second and third respondents to refund or give adjustment to the excess deposit available to be credit of the petitioner for their HT SC No.303.

For Petitioner : M/s.Arun Anbumani

For Respondents: Mr.L.Jai Venkatesh  
Standing Counsel



## O R D E R

The payment of Additional Current Consumption Deposit is challenged before this Court. This Court has already granted an interim order. As per the impugned order, the respondents directed the petitioner to make an additional deposit of Rs.2,35,325/- within 24 hours from the date of receipt of the notice. Since it was stayed in the year 2012, there is no occasion for depositing the said amount and after expiry of that period, this Court is of the opinion that nothing survives for further adjudication. After 2012, there are several payments made by the petitioner and therefore, at this juncture, payment of additional deposit for the year 2012 is meaningless and would not serve any purpose. As such, the matter has become infructuous. Hence, the Writ Petition is closed as infructuous. If at all, the learned counsel for the respondents is given different instructions, it is open to them to reopen the Writ Petition for arguing it on merits. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-

//True copy//

Sub Assistant Registrar

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To

1. The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmipathy Salai (Marashall's Road),  
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RGN(CO)  
GMY(02/03/2022)