



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.NO.27002 OF 2018

New Selvi Fly Ash Bricks,
Rep. By its Proprietor,
C.Manivannan/M/52
SF.No.133, 2B-1,
N.H.Road, Thurai mangalam,
Perambalur District - 621 212.

... Petitioner

.Vs.

1. The Chief Engineer/Civil Designs,
The TamilNadu Electricity Board/
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
No.144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineer,
Mettur Thermal Power Station I
(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd),
Mettur Dam, Salem District.

... Respondents

PRAYER:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to permit the petitioner to lift ash from the Mettur Thermal Power Station I without insisting any conditions.

For Petitioner : Mr.V.Stalin

For Respondents : Ms.V.Revathy
For Mr.M.Abdulkalam
Standing Counsel
For Electricity Board



O R D E R

The petitioner seeks the following relief:

WEB COPY

"To direct the 1st respondent to permit the petitioner to lift ash from the Mettur Thermal Power Station I without insisting any conditions."

2. It is not in dispute that similar writ petitions have been disposed of with certain directions by this Court earlier. The petitioner has produced the order in W.P.No.30373 of 2016 dated 31.08.2016 in which the following directions has been issued:

"There shall be a direction to the respondents, especially, the second respondent to permit the petitioner to lift the fly ash from Mettur Thermal Power Station I. However, this order will not prevent the respondents from verifying the purpose for which the fly ash is being used and if it is not used for the admitted purpose, it is always open to the respondents to take appropriate proceedings/ action. "

3. The said factual position is not disputed by the learned counsel for the respondents. Hence, there will be a direction to the respondents especially to the 2nd respondent to permit the petitioner to lift fly ash from the Mettur Thermal Power Station I. However, this order will not prevent the respondents from verifying the purpose for which fly ash is used. When it is not used for the permitted purpose, it is always open to the respondents to take appropriate proceedings/ action.

4. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dsa



To

1. The Chief Engineer/Civil Designs,
The TamilNadu Electricity Board/
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
No.144, Anna Salai,
Chennai - 600 002.

2. The Chief Engineer,
Mettur Thermal Power Station I
(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd.,),
Mettur Dam, Salem District.

+1cc to Mr.V.Stalin, Advocate, S.R.No.37547

W.P.NO.27002 OF 2018

RGN(CO)
PBS/07/07/2022