



W.P.No.679 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.679 of 2020

And

W.M.P.No.809 of 2020

S.Chandrasekaran

... Petitioner

Vs.

The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Coimbatore Distribution Circle,
Race Course, Arts College,
Coimbatore – 18.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in letter No.உ.செ.பொ/பசா/வஉ/கோ.வழக்கு/அ.எண்.210/19-20 dated 23.12.2019 and quash the same as arbitrary and illegal and consequently direct the respondent to collect domestic tariff for the premises used by the petitioner as his lawyer chamber.

For Petitioner : Mr.A.Thiyagarajan

For Respondent : Mr.L.Jaivenkatesh



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ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the respondent in letter No.உ.செ.பொ/பசா/வஉ/கோ.வழக்கு/அ.எண்.210/19-20 dated 23.12.2019 and to quash the same as arbitrary and illegal and consequently direct the respondent to collect domestic tariff for the premises used by the petitioner as his lawyer chamber.

2.The case of the petitioner is that the petitioner is a practising Advocate and is using a portion of his flat as lawyer chamber. On 10.03.2011 a flying squad from the Electricity Department inspected his property and arrived at a conclusion that the petitioner is using 838.84 sq.ft of the flat for commercial purpose instead of the admitted portion of 200 sq.ft. Thereafter, the petitioner paid penalty of Rs.45,840/- along with compounding fee of Rs.2,000/- and preferred appeal before the Superintending Engineer, TNEB, Coimbatore and the said appeal was rejected on 07.05.2011. Aggrieved over the same, the petitioner preferred W.P.No.22858 of 2011 and pursuant to the order of this Court dated 30.08.2019 made in the said writ petition, the present impugned order came to be issued. Hence, this petition.



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3.The learned counsel appearing for the petitioner submitted that this Court, without going into the merits of the case, may permit the petitioner to pay the impugned demand amount of Rs.1,30,032/- without any interest and penalty.

4.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court permits the petitioner to pay the impugned demand amount of Rs.1,30,032/- without interest or further penalty, within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

28.03.2023

pri
Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

To

The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Coimbatore Distribution Circle,
Race Course, Arts College,
Coimbatore – 18.

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M.DHANDAPANI,J.
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