



W.P.No.22994 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.22994 of 2010
and M.P.No.2 of 2010

Hcl Technologies Ltd.
BPO Division,
Rep.by its General Manager- Legal,
Mr.T.A.Srinivasan, Block-1,
No.84, Greams Road,
Thousand Lights, Chennai-600 006.

...Petitioner

-Vs-

1. Government of Tamil Nadu,
Rep.by Secretary to Government,
Department of Energy,
Fort St.George, Chennai-600 009.

2. Tamil Nadu Electricity Board,
Rep.by its Chairman,
800, Anna Salai,
Chennai- 600 002.

3. Superintending Engineer,
CEDC/CENTRAL
Tamil Nadu Electricity Board,
Chennai-600 034.

4. Tamil Nadu Electricity Regulatory Commission,
Rep.by its Secretary,
17, 3rd Main Road, Seethammal Colony,
Alwarpet, Chennai-600 018.

...Respondents



W.P.No.22994 of 2010

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records of the 4 Respondent Tariff Order 3 of 2010 dated 31.07.2010 and quash para 9.11.72 of the said order and direct the fourth respondent Commission to include IT enables Services under 9.11.72

For Petitioner : Ms.Srinath Sridevan, Senior Counsel
for Mr.K.Harishankar

For Respondents :
(for R1) : Mr.T.Arun Kumar, AGP
(for R2 & R3) : Mr.L.Jai Venkatesh for TANGEDCO
(for R4) : No Appearance

ORDER

The relief sought in the present writ petition is to call for the records of the 4th respondent Tariff order 3 of 2010 dated 31.07.2010 and quash the same and direct the 4th respondent commission to include petitioner under the Tariff HT 1(A) .

2.Adjudication of disputed issues require scrutinisation of documents and evidences and certain technicalities involved in the matter of tariff is also to be considered. The Tamil Nadu Electricity Regulatory Commission is the competent body to adjudicate all such technical aspects



W.P.No.22994 of 2010

in the matter of fixation of tariff to various companies, organisations etc.

Even under the Tamil Nadu Electricity Supply Board, the Petitioner has to approach the Electricity Regulatory Commission for redressal of grievances, whether a particular tariff is to be fixed in respect of the business premises or not to be adjudicated elaborately, and therefore, the petitioner is at liberty to approach the Electricity Regulatory Commission for adjudication of the disputed issues.

3.In the event of any such approach of the petitioner to the Electricity Regulatory Commission, the period during which the writ petition was pending before the High Court needs to be taken for the purpose of condoning the delay and the Regulatory Commission is empowered to adjudicate the matter on merits and in accordance with the law, and dispose of the same as expeditiously as possible.

4.Accordingly, the writ petition stands **disposed of**. No costs.
Consequently, connected miscellaneous petition is closed.

(sha)
Index : Yes

24.03.2023



Speaking Order

Neutral Citation : Yes

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W.P.No.22994 of 2010



WEB COPY



W.P.No.22994 of 2010

S.M.SUBRAMANIAM. J.,

(sha)

To

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