



W.A.No.278 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

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1. The Commissioner and Secretary  
to Government of Tamil Nadu  
Industries Department, Fort St. George  
Chennai – 600 009.

2. The Industries Commissioner and  
Director of Industries and Commerce  
Chepauk, Chennai – 600 005.

3. The General Manager  
District Industries Centre  
Namakkal District.

.. Appellants

Vs.

Sri Muhuntha Paper Boards  
Rep. by its Managing Partner Thiru S.Jagadeesh  
S.F.No.14/2, D. No.294/2, 3 & 4  
Sanapalayam, Pullagoundampatti (P.O.)  
Tiruchengode (TK)  
Namakkal District.

.. Respondents



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Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 06.08.2018 made in W.P.No.28167 of 2010.

For the Appellants : Mrs.R.Anitha  
Spl. Government Pleader

For the Respondent : Mr.P.D.Sriram

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The appellants assail the order passed by the learned Single Judge of this Court dated 06.08.2018 in W.P.No.28167 of 2010.

2. In the said writ petition, the present respondent sought directions, to issue eligibility certificate and release low tension power tariff subsidy, to the appellants for S.C.Nos.409 and 410 for the period from 11.05.2001 to 17.04.2004.

3. Learned Special Government Pleader contends that in fact, in view of the circular dated 11.06.2002, the present respondent was not entitled for the low tension subsidy. In the year 2006, the

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respondent converted the same into a high tension line. This fact shows that only to get a subsidy, the respondent tried to show three different connections of 150 HP load. He would have been entitled only for one HP load of 150.

4. We have gone through the order of the learned Single Judge. While passing the impugned order, the learned Single Judge relied upon the decision of a Division Bench of this Court dated 31.01.2007 in W.A.No.1576 of 2004. In the said judgment, the Division Bench held that the circular dated 11.06.2002 would not have retrospective effect. In the case before the Division Bench, the petitioner therein also has applied for three connections.

5. The learned Single Judge has relied upon the judgment of the Division Bench and passed the impugned order and even the learned Special Government Pleader acceded to the position of law as existing thereunder.



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6. In the light of the above, no case for interference is made out. Accordingly, the writ appeal as such is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)  
06.06.2023

Index : Yes/No  
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESSAVALU, J.

(kpl/drm)

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