



WMP.No.22442 of 2023
in WP.No.10066 of 2023

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D.KRISHNAKUMAR, J.
and
P.DHANABAL, J.

The seventh respondent in the Writ Petition has filed this miscellaneous petition to recall the order passed on 07.06.2023.

2. It is the contention of the petitioner/seventh respondent that his counsel filed vakalat on 05.06.2023 and the same was returned on 07.06.2023 and hence, his name was not printed in the cause list. Therefore, the petitioner's counsel could not appear before this Court and defend the case. It is his further contention that he has a good case on hand. Hence, he requested this Court to recall the order passed on 07.06.2023

3. This Court, vide order dated 07.06.2023 disposed of the said Writ Petition with the following directions:

"5. From the available records, it is seen that the revised estimate for extension of electricity supply to M/s.KSJ Spins and Weavers (P) Ltd run by the proprietor of Mr.Krishnamoorthy (7th respondent) at SF.No.6/1D, Ayakkadu, Kadachanallur Village was sanctioned, vide order dated 06.10.2022 by the Electricity Board.



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However, from the report of Advocate Commissioner, it is clear that the 7th respondent had constructed the building in deviation to the approved plan. Therefore, the third respondent is directed to consider the representation of the petitioner dated 16.03.2023 in the light of the Advocate Commissioner's Report and to take necessary action with regard to the above deviation/unauthorized construction, after affording opportunity to the parties concerned, as per the Rules and decide the issue on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Further, the Advocate Commissioner has filed a memo seeking additional remuneration for the work done by him. Therefore, the 7th respondent is directed to pay a sum of Rs.20,000/- (Twenty Thousand) as Additional Remuneration to the Advocate Commissioner forthwith."

4. On a perusal of the said order, it is clear that this Court has given a specific direction to the petitioner/seventh respondent to pay the additional remuneration to the learned Advocate Commissioner forthwith, but the same has not been paid till date.

5. Further, it is clear that this Court has not given any positive direction on merits, whereas it has only given a direction to the Block Development



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Officer to consider the representation of the petitioner therein dated 16.03.2023 after giving opportunity to the parties. The petitioner/seventh respondent can very well make his objections before the authority concerned and hence, no prejudice will be caused to the petitioner.

6. In the light of the above, no interference is needed in the order passed by this Court, dated 07.06.2023 and hence, this petition is dismissed. The petitioner/seventh respondent shall pay the additional remuneration of Rs.20,000/- (Rupees twenty thousand only) to the learned Advocate Commissioner within a period of two weeks from the date of receipt of a copy of this order, failing which, his objections will not be considered.

pvs

[D.K.K., J] [P.D.B., J.]
06.10.2023



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D.KRISHNAKUMAR, J.
and
P.DHANABAL, J.

pvs

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