



WA No.2067 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WA No.2067 of 2023
and CMP No.17625 of 2023

M/s.Pharmazell India Pvt. Ltd.,
HTSC No.369, Plot No.B5-B6,
3rd Main Road, Phase III, MEPZ,
Tambaram, Chennai 600 045.

.. Appellant

-vs-

1. The Superintending Engineer - Operation,
Appellate Authority, TANTRANSOCO,
A-10, Thiru Vi Ka Industrial Estate,
Guindy, Chennai 600 032.

2. The Assistant Executive Engineer- O&M,
CEDC/South II, TANGEDCO,
Kadaperry, Chennai.

.. Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent
against the order dated 20.06.2023 in W.M.P.No.17021 of 2023 in
W.P.No.17899 of 2023 on the file of this Court.

For the Appellant : Mrs.AL.Gandhimathi
Senior Counsel
for Mr.L.Palani Muthu

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JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Mrs.AL.Gandhimathi, learned Senior Counsel, for the appellant.

2. The present appeal is filed against the interim order passed by the learned Single Judge. The learned Single Judge granted stay on condition that the appellant deposits Rs.20,00,000/- (Rupees twenty lakhs only).

3. The learned Senior Counsel for the appellant submits that the appellant has already deposited 50% of the charges claimed. The total charges claimed is Rs.1,01,41,205/- (Rupees one crore one lakh forty one thousand two hundred and five only). The proceedings were remitted back and now, again in a fresh round of litigation, the appellant is directed to deposit Rs.20,00,000/-.



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4. The appellant has been granted benefit of interim stay on condition of deposit of Rs.20,00,000/-. The appellant had deposited 50% of the amount in the year 2017. The learned Single Judge has exercised his discretion. The discretion exercised is not arbitrary or unreasonable. In light of that, we are not inclined to interfere in the appellate jurisdiction.

The writ appeal as such is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

14.08.2023

Index : Yes/No
Neutral Citation : Yes/No
sra

To

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(sra)

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