

**W.M.P.No.648 of 2024****in****W.P.No.3851 of 2010****S.M.SUBRAMANIAM, J.**

WEB COPY

The learned Counsel on record Mrs.C.Uma who appeared during the final hearing of the writ petition in W.P.No.3851 of 2010, mistakenly made a submission before this Court that the writ petition has become infructuous. The Counsel on Record filed an affidavit along with this W.M.P., stating that on some misunderstanding, the learned Counsel has sought for the permission of this Court to withdraw this writ petition, as the relief sought for in the writ petition has become infructuous. Based on the said representation, the writ petition was dismissed as infructuous.

2. The learned Senior Counsel Mrs.Nalini Chidambaram would submit that the incident was occurred due to misunderstanding of the Counsel on Record. Since the relief sought for is relating to tariff fixation and the writ appeals are also pending before the Hon'ble Division Bench of this Court, the writ petition is to be argued on merits and thus, present miscellaneous petition is filed to recall the order and to restore on file.

3. Since the learned Counsel on Record filed an affidavit stating that she has mistakenly understood the issues and made a submission that the writ petition has become infructuous, this Court is inclined to consider the writ petition.



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S.M.SUBRAMANIAM, J.

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Accordingly, this Miscellaneous Petition stands ordered and the order dated 13.06.2018 in W.P.No.3851 of 2010 is recalled and the writ petition stands restored on file.

Therefore, registry is directed to list the main writ petition for hearing on 24.01.2024.

10.01.2024

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