



W.P.Nos.17346 & 17349 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.17346 & 17349 of 2020

and

W.M.P.Nos.21467, 21470, 21477 & 21478 of 2020

Caparo Engineeringa India Ltd.
Rep. by its Authorised Signatory, K. Sreenivas,
T1 and T2, SIPCOT Industrial Park,
Phase II, Sunguvarchataram Village,
Sriperumbudur Taluk,
Kancheepuram,
Tamil Nadu-602 106.

... Petitioner in
both the W.Ps.

Vs.

1. The Tamil Nadu Electricity Generation and
Distribution company (TANGEDCO),
Rep. by its Chairman and Managing Director,
10th Floor, NPKKR Maaligai,
144, Anna Salai, Chennai-02.

3. The Superintending Engineer,
Chengalpattu Electricity Distribution Circle,
TANGEDCO,
Chengalpattu-603 001.

... Respondents in
both the W.Ps.



W.P.Nos.17346 & 17349 of 2020

Prayer in W.P.No.17346 of 2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the records of the 2nd respondent in the impugned proceedings Lr.No. SE / TANGEDCO / CGL / DFC / AO / REV / AAO-HT / AS / F HT . Sc. No. 584 / D. No. 824 / 20 dated 18.02.2020 and quash the same

Prayer in W.P.No.17349 of 2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the records of the 2nd respondent in the impugned proceedings Lr.No. SE / TANGEDCO / CGL / DFC / AO / REV / AAO-HT / AS / F,HT . Sc. No. 555 / D. No. 821 / 20 dated 18.02.2020 and Lr. No. SE / TANGEDCO / CGL / DFC / AO / REV / AAO-HT / AS / F,HT.SC.No. 555/D. No. 931 / 20 dated 27.5.2020 and quash the same.

For Petitioner : No Appearance

For Respondents : Mrs.N.K.Nithilavani,
Central Government Senior Counsel

COMMON ORDER

The issue involved in both of these writ petitions are one and same hence, both the writ petitions are disposed of by way of common order.



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2. The learned counsel for the petitioner and the respondents in unison submitted that the issue raised in the present writ petitions stands covered by the judgment of this Court in **W.P.No.24889 of 2012** dated 10.02.2022, wherein it was observed as under:

“2. By impugned G.O.(Ms).No.79 Energy (C3) Department dated 11.07.2012, Government had cancelled the temporary waiver of cross subsidy surcharges and made demands from the HT consumers like the petitioner. The said G.O.(Ms).No.79 dated 11.07.2012 was challenged before this Court in WP.No.23113 of 2012. This Court, by order dated 30.11.2012, quashed the impugned G.O.(Ms).No.79, against which, writ appeal was filed by the respondents in WA.No.1257 of 2012. The Hon-ble Division Bench of this Court, by its order dated 24.09.2014, disposed of the writ appeal with certain directions. Aggrieved over the same, the Southern India Mill Owners- Association and TANGEDCO have preferred an appeal and cross-objection before the Hon-ble Supreme Court in SLA.(C).No.15662 of 2015. The Hon-ble Supreme Court by its order dated 29.07.2015 has directed the parties to maintain status-quo till the orders to the contrary. Now that the matter is subjudiced, status-quo is maintained by



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the parties concerned.

4.The learned counsel appearing for the parties would submit that the writ petition may be disposed of, subject to the out come of the judgment of the Hon-ble Supreme Court in the above matter. Considering the facts and circumstances of the case, this writ petition stands disposed of, subject to the result of SLA(C).No.15662 of 2015. The parties shall maintain status-quo till such time. No costs. Consequently, connected miscellaneous petitions are closed.? ”

3. In view of the same, the present writ petitions are disposed of on the above terms viz., parties shall maintain status quo until disposal of the issue by the Hon'ble Supreme Court. No costs. Consequently, connected miscellaneous petitions are closed.

01.02.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

(sha)

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