



W.P.(MD) No.10524 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.10524 of 2016
and W.M.P.(MD).Nos.8201 & 8202 of 2016

M/s.Servalakshmi Paper (P) Ltd., (Water Pump House)
HTSC No.209, Kodaganallur, Village, SF.No.95/2 &
100/2b, Vettuvankulam Road, Melakallur,
Tirunelveli District.

Having the Corporation office at
No.31 (Old No.10Z), Bharathi Park, 7th Cross
Coimbatore – 641 011.

Rep., by its Deputy General Manager – Accounts,
Mr.H.S.Seetharaman

... Petitioner

/vs./

1.The Tamilnadu Generation and Distribution,
Corporation Ltd., (TANGEDCO),
Rep., by its Chairman,
No.800, Anna salai,
Chennai – 600 002.

2.The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

3.The Accounts Officer/Revenue
TANGEDCO
Tirunelveli Electricity Distribution Circle,
Tirunelveli



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4. Tamil Nadu Electricity Regulatory Commission,
Rep., by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road) Egmore,
Chennai – 600 008.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the second respondent's impugned order bearing Lr.No.SE/TEDC/TIN/AO/REV/AAO. HT/F.HT.209/D.53/16, dated 04.05.2016, and the consequential impugned order bearing Lr.No.SE/TEDC/TIN/AO/REV/AAO.HT/F.HT.209/D.133/16, dated 04.06.2016 quash the same as illegal arbitrary, without the authority of law and against order passed by the Court in W.P.No.14408 of 2016 and against the Tariff Order issued by the fourth respondent and consequently forbearing the second respondent from in any manner levying, demanding and/or collecting demand and energy charges from the petitioner's water pump house bearing HTSC No. 209 under HT Tariff V instead of HT Tariff-A and also direct the respondent to give refund/adjustment of the amounts illegally collected from the petitioner under HT Tariff V instead of HT Tariff IA from the date of supply of the service connection.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.Deenadhayalan
Standing counsel for RR1 to R3



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ORDER

This Writ Petition had been filed challenging the impugned order dated 04.05.2016, passed by the second respondent and to quash the same and consequential impugned order, dated 04.06.2016 to quash the same as illegal arbitrary, without the authority of law.

2. It is submitted by the learned Standing Counsel appearing on behalf of the respondent that the short levy claim against the petitioner company based upon the Audit slip issued by the Audit, pending this Writ Petitioner Company was liquidated and thereafter, the properties of the petitioner Company was sold under the Companies Act and the subsequent purchasers had remitted the short levy demand made against the petitioner.

3. According to him, in view of the said fact, no further claim is made. In such view of the matter, no further adjudication is required to be made and accordingly, the same stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
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29.11.2024

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K.KUMARESH BABU, J.

Gba

To

- 1.The Tamilnadu Generation and Distribution,
Corporation Ltd., (TANGEDCO),
Rep., by its Chairman,
No.800, Anna salai,
Chennai – 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
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- 3.The Accounts Officer/Revenue
TANGEDCO
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- 4.Tamil Nadu Electricity Regulatory Commission,
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