

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE D. KRISHNAKUMAR

WP No.27775 of 2013

1 TMT.NAZEER JOHN

[PETITIONERS]

2 T.BALASUNDARAM @ MANOHARANVs

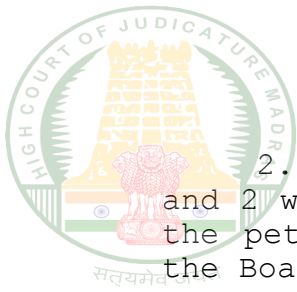
1 THE EXECUTIVE ENGINEER (O & M), [RESPONDENTS]
NORTH, KANCHIPURAM, TAMILNADU GENERATION
AND DISTRIBUTION CORPORATION LTD.,
(TANGEDCO) KANCHIPURAM

2 THE ASSISTANT EXECUTIVE
ENGINEER (O & M) TOWN, KANCHIPURAM,
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD., (TANGEDCO) KANCHIPURAM

Writ Petition under article 226 of the Constitution of India praying that in these circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue writ in nature of writ of Certiorari or any other appropriate writ, direction or order particularly in the nature of writ of certiorari calling for the records of the 1st respondent in proceedings Ka. No. Che. Po/Va/Ka/ U. Po/KoNazeerJohn/No.025/13, dated 19.9.2013 (in WP.27775/2013)

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.RADHAKRISHNAN VARADARAJULU, Senior counsel for M/S.K.SASINDRAN, ADVOCATE for the petitioner and of MR.P.GUNARAJ, Advocate on behalf of the Respondents 1 and 2 the court made the following order:-

Mr.Radhakrishnan Varadarajulu, learned Senior counsel for the petitioners would submit that the original demand in the impugned order dated 19.09.2013 is Rs.22,29,046/- which includes extra levy of Rs.6,73,428/- and the belated payment Surcharge (BPSC) of Rs.15,55,618/-. Pursuant to the interim order of this Court dated 19.09.2013, the petitioner has paid the entire assessed amount of Rs.6,73,428/- and the balance amount of Rs.15,55,618/- has to be paid . According to the petitioner, there is no urgency to pay the remaining amount of Rs.15,55,618/- and the respondent shall not precipitate the matter during the pendency of the Writ petition wherein the petitioner has got conditional interim stay at the time of admission.



2. Mr.P.Gururaj, learned counsel appearing for respondents 1 and 2 would submit that the respondents will not precipitate unless the petitioner shows his bonafide by paying atleast Rs.5 lakhs to the Board within a reasonable time granted by this time.

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3. The learned Senior counsel for the petitioner has agreed with the submission made by the counsel for respondents. However, he submits that the petitioner has to make necessary arrangements to pay a sum of Rs.5 lakhs to the respondents, and, hence he seeks four weeks time.

4. In view of the said submission, this Court directs the petitioner to pay the said sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the respondent Board, within a period of two weeks from the date of receipt of a copy of this order.

5. If the said amount is paid by the petitioner, without prejudice to the rights of the petitioner, the respondent shall restore the electricity connection forthwith.

6. Post the matter after four weeks for final disposal.

-sd/-

28/04/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE EXECUTIVE ENGINEER (O & M),
NORTH, KANCHIPURAM, TAMILNADU GENERATION
AND DISTRIBUTION CORPORATION LTD.,
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2 THE ASSISTANT EXECUTIVE
ENGINEER (O & M) TOWN, KANCHIPURAM,
TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD., (TANGEDCO) KANCHIPURAM

C.C. to M/S.K.SASINDRAN, advocate S.R.NO.2958/2021

Order

in

WP.27775/2013

Date :28/04/2021

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MJ 30/04/2021

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