

Headline	Legal firm loses bid for mandamus order against minister, Energy Commission		
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## Legal firm loses bid for mandamus order against minister, Energy Commission

**IPOH:** The High Court here yesterday dismissed an application by a legal firm for a mandamus order against Energy, Green Technology and Water Minister and the Energy Commission of Malaysia in connection with the method of rebate payment to consumers by Tenaga Nasional

Berhad (TNB).

Judge Datuk Che Mohd Ruzima Ghazali dismissed the application by Messrs. BH Koh, Soong, Zarin & Partners on grounds that the matter was a question of law that involved the interests of other consumers.

In the judgment, he said the court found that the rebate payment as stipulated by the law was 2.5 percent a year, but the law did not state the method or how the payment should be made.

TNB is still making the payment and consumers do not incur any loss, he said.

He also said no mandamus

order could be issued as under the Energy Commission Act 2001 the power of the minister was not absolute.

Messrs. BH Koh, Soong, Zarin & Partners had filed applications for a judicial review and a mandamus order to compel the Energy, Green Technology

and Water Minister, as the first respondent, to order the Energy Commission (the second respondent), the regulator for TNB, to reflect the annual rebate in consumers' January bills, instead of adding the amount into their deposit.

At yesterday's proceeding, the

Energy, Green Technology and Water Minister was represented by lawyer S. Malar Selvi, while the Energy Commission by lawyers Muhammad Fairuz Ahmad Yusof and Dir Kheizwan Kamaruddin.

The legal firm is represented by lawyer Cheong Yau Kheong.  
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