

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. Nos.3472 & 3473 of 2012
and M.P. Nos.1, 1, 2 and 2 of 2012

Sarmangal Synthetics (Pvt) Limited,
rep. by its Electrical Manager
K.Ranjith Kumar . . . Petitioner in both cases

-vs-

1.Tamil Nadu Electricity Regulatory
Commission repd. by it Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road),
Egmore, Chennai-600 008.

2.The Chairman,
Tamil Nadu Generation and
Distribution Corporation Limited,
144, Anna Salai,
Chennai 600 002.

3.The Chief Engineer, NCES,
144, Anna Salai,
Chennai 600 002.

4.The Superintending Engineer,
Coimbatore South Electricity
Distribution Circle,
TANGEDCO, TNEB, Coimbatore. . . Respondents in both cases

Prayer in both cases: Petitions filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus calling for the records of the fourth respondent in his Bill Nos.588 & 596 dated 01.02.2012 in so far as it relates to levy of penalty in the form of excess demand charges of Rs.93,761.40 & Rs.96,153/- in Serial No.13(f) as illegal, arbitrary, without the authority of law and consequently forbear the fourth respondent from taking energy adjusted instead of energy available to the credit of the petitioner for the purpose of equivalent demand calculation till the power cut, load shedding are in force.

For Petitioner in both cases : Mr.R.S.Pandiyaraj

For respondents in both cases : Mr.S.K.Raameshuwar,
Standing Counsel for TNEB

COMMON ORDER

The writ petitions have been filed challenging the correctness of the impugned Bill Nos.588 & 596 dated 01.02.2012 issued by the Superintending Engineer, Coimbatore, the fourth respondent herein.

2.Learned counsel appearing for the petitioner would submit that when the similar issue was questioned by the Tamil Nadu Spinning Mills Association against the Tamil Nadu Electricity Regulatory Commission and others in I.A. No.736 of 2019 in D.F.R. No.1584 of 2019, the Appellate Tribunal for Electricity by order dated 24.07.2019 has passed an interim order to the effect that no coercive steps shall be taken against the appellant till the next date of hearing.

3.In view of the fact that an interim order dated 24.07.2019 has been passed by the Appellate Tribunal for Electricity in favour of the Tamil Nadu Spinning Mills Association in the similar issue as that of the petitioner, the writ petitions are disposed of. No coercive steps will be taken against the petitioner till the orders are passed by the respondents. Consequently, connected M.Ps. are closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Secretary,
Tamil Nadu Electricity Regulatory
Commission
19-A, Rukmini Lakshmi pathy Salai,
(Marshall's Road),
Egmore, Chennai-600 008.

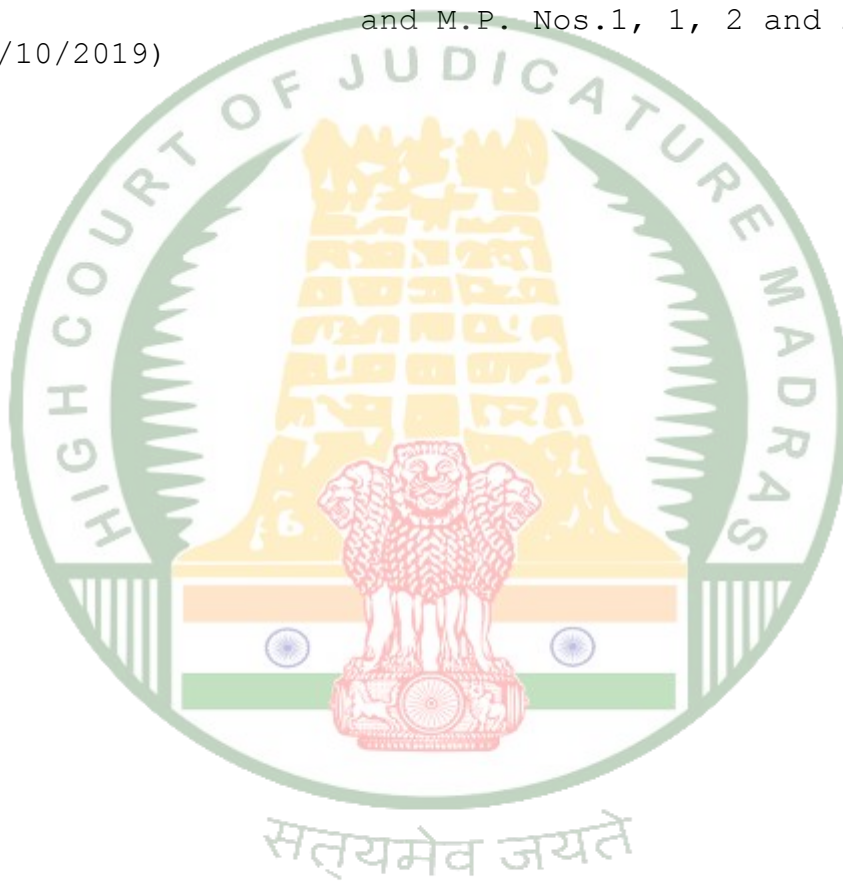
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A.SK(15/10/2019)



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