

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.10.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11156 of 2020
and WMP Nos.13610 and 13608 of 2020

M/s.Mailam Murugan Mines,
Rep. By its Proprietor,
Mrs.Geetha Uthayarajan
Having its office at
New No.48 (59), East Jones Road,
Saidapet, Chennai 600 015.

... Petitioner

Vs.

1. The Superintending Engineer,
Chengai Electricity Distribution Circle,
Tamil Nadu generation and Distribution and Corporation
Limited,
No.49, Alagesan Nagar,
Chengalpattu - 603 001.

2. Accounts Officer - Revenue,
Chengai Electricity Distribution Circle,
Tamil Nadu Generation and Distribution and Corporation
Limited,
No.49, Alagesan Nagar,
Chengalpattu 603 001

...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to callfor the records relating to the energy charges in Sl.No.1 Industrial Consumption @ Rs.8/- per unit in (i) TANGEDCO Chengalpattu - High Tension Bill (Provisional) for the month of December 2019 dated 10.01.2020, (ii) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of January 2020 dated 05.02.2020 (iii) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of February 2020 dated 09.03.2020 (iv) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of March 2020 dated 04.04.2020 (v) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of April 2020 dated 06.05.2020 (vi) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of May 2020 dated 04.06.2020 (vii) TANGEDCO Chengalpattu - High tension Bill (Provisional) for the month of June 2020 dated 03.07.2020 for HT Service Connection No.099094111406 and quash the same insofar

as it relates to Energy charges at Rs.8 per unit under Tariff HT III and further direct the respondents herein to adjust Rs.7,33,672.50/- being the difference between consumption charges between HT Tariff III & HT Tariff I A for the aforesaid bills for petitioner's HT Service connection No.099094111406 from the charges payable for future bills.

For Petitioner : Mr.V.P.Sengottuvel
For Respondents: Mr.T.M.Pappiah
Special Government Pleader

ORDER

This Court passed the following order on 21.08.2020 :-

It is seen from the records that the petitioner was given HT Service Connection and the Tariff had levied under HT 1A and it is Rs.6.35/- per Unit under this Tariff.

2. The grievance of the petitioner is that from the month of December 2019 to June 2020, the respondent levied Tariff under HT III and have collected Rs.8/- per unit. Thereby, the respondent has collected an excess of Rs.7,33,627.50/-. The petitioner wants this amount to be adjusted towards future consumption charges.

3. Considering the limited issue raised in the present Writ petition, post this case under the caption "for orders" on 07.09.2020. The learned counsel for the petitioner is directed to serve typed-set of papers to the learned Standing Counsel appearing on behalf of the respondents.

2. The learned counsel for the petitioner submitted that the entire amount that was collected in excess from the petitioner was adjusted towards the September 2020 bill. The learned counsel appearing on behalf of the respondents also confirmed this fact.

3. Recording the submissions on either side, this writ petition is closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

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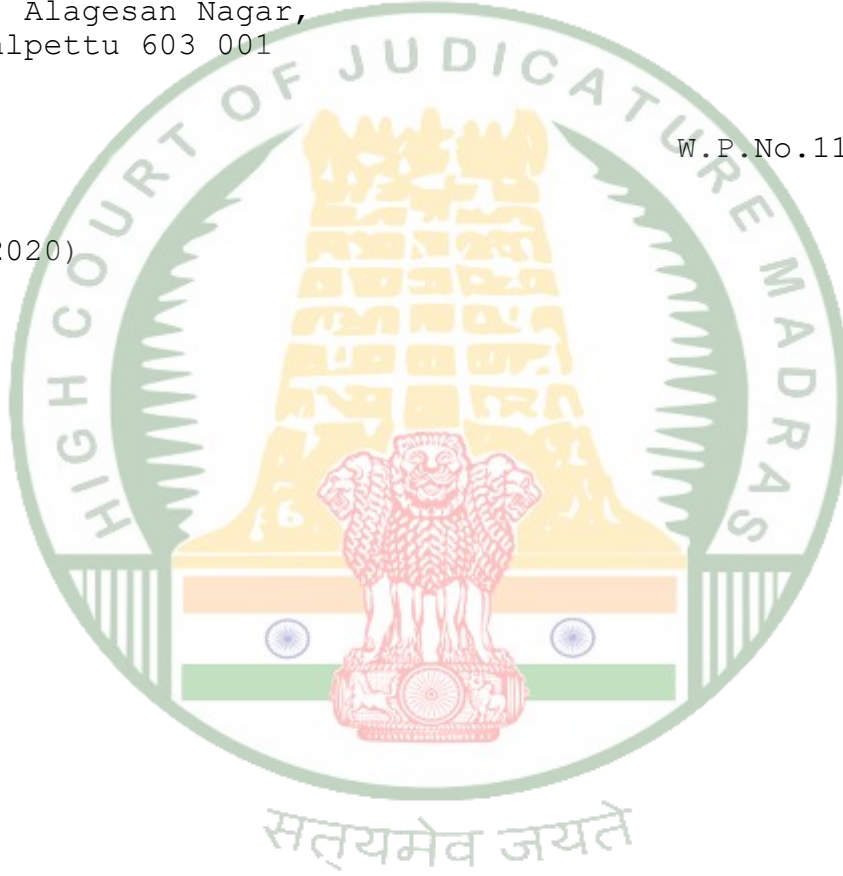
Sub Assistant Registrar

To

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SRA (CO)
RV (19/11/2020)



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