

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.Nos.12490 & 12496 of 2020 and
WMP.Nos.15402, 15411, 15403, 15410 of 2020

M/s.M.G.M.Diamond Beach Resorts Private Limited,
Rep by its Director,
Mr.Muthusamy Shanmugasundram,
Having office at,
No.1/74, East Coast Road,
Muttukadu,Chennai 603 112. Petitioner in both W.Ps

.Vs.

1. Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO),
Rep.by its Chairman and Managing Director,
No.144, Anna Salai,
Chennai - 600 002.
2. The Accounts Officer/Revenue,
Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO),
Chengalpet EDC,
49, Alagesan Nagar,
Chengalpet 603 001.
3. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO),
Chengalpet EDC,
49, Alagesan Nagar,
Chengalpet 603 001. Respondents in both W.Ps

Prayer in W.P.No.12490 of 2020:Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records leading to the issuance of the original impugned high tension bills (provisional) issued by the second respondent for the month of April 2020 (Bill 9094110293052001 dated 08.05.2020), May 2020 (Bill No 9094110293062001 dated 08.06.2020, June 2020 (Bill

No.9094110293072001 dated 08.07.2020) and for the month of July (Bill No.9094110293082002 dated 10.08.2020) pertaining to service No.099094110293 in violation regulation 6(b) of the Tamil Nadu Electricity Supply Code.2004 and quash the same and direct the respondents to raise the monthly bill calculating the minimum charges at the rate of 20% of the contracted demand or recorded demand whichever is higher as per regulation 6(b) of the Tamil Nadu Electricity Supply Code, 2004, till the extended period of lockdown, by the Government of Tamil Nadu and not to levy power factory penalty till the lockdown is lifted and operation of entertainment/ amusement park commences in so far the petitioner is concerned

Prayer in W.P.No.12496 of 2020:Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records leading to the issuance of the original impugned high tension bills (provisional) issued by the second respondent for the month of April 2020 (Bill 9094110311052001 dated 06.05.2020), May 2020 (Bill No 9094110311062001 dated 03.06.2020, June 2020 (Bill No.9094110311072001 dated 02.07.2020) and for the month of July (Bill No.9094110311082001 dated 05.08.2020) pertaining to service No.099094110311 in violation regulation 6(b) of the Tamil Nadu Electricity Supply Code.2004 and quash the same and direct the respondents to raise the monthly bill calculating the minimum charges at the rate of 20% of the contracted demand or recorded demand whichever is higher as per regulation 6(b) of the Tamil Nadu Electricity Supply Code, 2004, till the extended period of lockdown, by the Government of Tamil Nadu and not to levy power factory penalty till the lockdown is lifted and operation of entertainment/ amusement park commences in so far the petitioner is concerned.

In both W.Ps

For Petitioner : Mr.S.Prem Auxilian Raj

For Respondents: Mr.P.Gunaraj

COMMON ORDER

The issue that has been raised in these writ petitions is covered by the orders passed by this Court in a batch of writ petitions in WP. Nos.7678, 7679, 9141, 9312, 9537, 9538, 9550, 10012, 10042, 10044, 10031, 9825, 9831, 10087, 10091, 10110, 10164, 8852 and 9689 of 2020 dated 14.08.2020. Consequently, the directions issued by this Court in the batch of writ petitions be equally applied to the present writ petitions also.

2. Accordingly, these writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.
2. The Accounts Officer/Revenue,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Chengalpet EDC,
49, Alagesan Nagar,
Chengalpet 603 001.
3. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Chengalpet EDC,
49, Alagesan Nagar,
Chengalpet 603 001.

+2cc to Mr.P.Gunaraj, Advocate, Sr.No.29668

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