

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.Nos.14658, 14719 and 14775 of 2020 & WMP.Nos.
& 18218,18217,18291,18288,18355 and 18356/2020

The Southern Railway
represented through
the chief electrical Distribution Engineer
O/o the Principal Chief Electrical Engineer
Southern Railway, 7th Floor, NGO Annex
Park Town, Chennai-600 003

...Petitioner in
WP.Nos.14658,14719
and 14775/2020

Versus

- 1.The Chairman cum Managing Director
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO)
No.144, Anna Salai
Chennai-600 002
- 2.The Chief Financial Controller-Revenue
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO)
NPKRR Maligai, 144, Anna Salai
Chennai-600002
- 3.The Superintending Engineer
Tirupattur EDC, TANGEDCO
24B, Balammal Colony
Tirupattur-635 601
- 4.The Superintending Engineer
Dharmapuri EDC, TANGEDCO
Dharmapuri-5
- 5.The Superintending Engineer
SALEM EDC, TANGEDCO
K.N.colony, Udayapatty
Salem-636 014
- 6.The Superintending Engineer
Mettur EDC, TANGEDCO
Mettur Dam, 636 401

7.The Superintending Engineer
Erode EDC, TANGEDCO
948, E.V.N.Road, Erode-638 009

8.The Superintending Engineer
Coimbatore EDC/METRO, TANGEDCO
Tatabad, Coimbatore-12

9.The Superintending Engineer
Karur EDC, TANGEDCO
TNEB Complex, Mannapuram, Trichy-20

10.The Superintending Engineer
Trichy EDC/METRO, TANGEDCO
T.N.E.B Complex, Mannapuram, Trichy-20

11.The Superintending Engineer
Namakkal EDC, TANGEDCO
Paramathee Road, Krishna Complex
Namakkal-637001

12.The Government of Tamil Nadu
Rep. By Secretary to Government
Energy Department, Fort. St.George
Chennai-600 009.

...Respondents
in WP.No.14658/2020

1.The Chairman cum Managing Director
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2.The Chief Financial Controller-Revenue
Tamil Nadu Generation & Distribution
Corporation Limited (TANGEDCO)
NPKRR Maligai, 144, Anna Salai
Chennai-600002

3.The Superintending Engineer
CEDC/South II/Chennai, TANGEDCO
110 KV Complex, K.K.Nagar
Chennai-600 078

4.The Superintending Engineer
Chennai EDC/ Central, TANGEDCO
MGR Salai, Valluvarkottam SS Complex
Nungambakkam, Chennai-600 034

5.The Superintending Engineer
Chennai EDC/North, TANGEDCO
802, Anna Salai, Chennai-600 002

6.The Superintending Engineer
Chennai EDC/West, TANGEDCO
33,KV Thirumangalam SS Complex
Anna Nagar, Chennai-600 040

7.The Superintending Engineer
Chengalpet EDC, TANGEDCO
49, Alagesan Nagar,
Chengalpet-603 001

8.The Superintending Engineer
Vellore EDC, TANGEDCO
Gandhi Nagar, Vellore-632 006

9.The Superintending Engineer
Thirupathur EDC, TANGEDCO
Thiruppathur-635 601

10.The Government of Tamil Nadu
Rep. By its Secretary to Government
Energy Department, Fort. ST.George
Chennai-600 009

...Respondents
in WP.No.14719/2020

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NPKRR Maligai, 144, Anna Salai
Chennai-600002

3.The Superintending Engineer,
Tirunelveli EDC, TANEDCO
Maharaja Nagar
Tirunelveli-627 011

4.The Superintending Engineer,
Kanyakumari EDC, TANEDCO
Nagercoil-629001

5.The Government of Tamil Nadu
Rep. By its Secretary to Government
Energy Department, Fort. ST.George
Chennai-600 009

..Respondents
in WP.No.14775/2020

Prayer in WP.No.14658/2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representations of the petitioner through the Divisional Railway Manage/Traction Distribution, Salem dated 17.08.2020 to the respondents 3 to 11 herein and pass orders to the effect billing Eleven Traction Sub-stations(SS) [1.Samalpatti TSS,HT.SC.No.62 2. Bommidi TSS,HT.SC.No.135; 3.Salem TSS,HT.SC.No.123;4.Mettur Dam TSS,HT.SC.No.103; 5.SankariDurgTSS,HT.SC.No.115; 6.Ingur TSS,HT.Sc.No.84;7.SulurRoad TSS,HT.SC.No.126; 8.Velliyanai TSS, HT.SC.No.137; 9.Pugalur TSS, HT.SC.No.153; 10.Pettavayatalai TSS,HT.SC.No.276; 11.Namakkal TSS,HT.Sc.No.392] located in Salem as per the aforesaid regulation an twenty percent of the billable demand or recorded demand whichever is higher besides charges for the actual consumption during the nationwide/State restricted lockdown period and the excess MD Charges, excess low power factor charges already paid during the lock down/restricted period also be adjusted in the future bill.

Prayer in WP.No.14719/2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representations of the petitioner through the Divisional Railway Manage/Traction Distribution, Chennai dated 17.08.2020 to the respondents 3 to 9 herein and pass orders to the effect billing Nine Traction Sub-stations(SS)[1.Chintradipet TSS,HT.SC.No.2346 2.Tambaram TSS,HT.SC.No.70; 3.Acharapakkam TSS, HT.SC.No.18;4. Ennore, TSS,HT.SC.No.1309; 5.Avadi TSS,HT.SC.No.1320; 6.Arakkonam TSS,HT.Sc.No.1183;7.Thiruvalem TSS,HT.SC.No.1089 8. Valathoor TSS ,HT.SC.No.43; 9.Tiruputhur TSS, HT.SC.No.41] located in Chennai Division as per the aforesaid regulation at twenty percent of the billable demand or recorded demand whichever is higher besides charges for the actual consumption of electricity and not to very low power factor compensation surcharge during the nationwide/State restricted lockdown period and the excess MD Charges, excess low power factor charges already paid during the lock down/restricted period also be adjusted in the future bill.

Prayer in WP.No.14775/2020:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representations of the petitioner through the Divisional Railway Manage/Traction Distribution, Thiruvananthapuram dated

18.08.2020 to the respondents 3 and 4 herein and pass orders to the effect billing Two Traction Sub-stations(SS) [1.Nanguneri TSS.HT.SC.No.079094720276; 2.Eraniei TSS.HT.SC.No.079094740075] located in Thiruvananthapuram Division as per the aforesaid regulation at twenty percent of the billable demand or recorded demand whichever is higher besides charges for the actual consumption of electricity and not to levy low power factor compensation surcharge during the nationwide/State restricted lockdown period and the excess MD Charges, excess low power factor charges already paid during the lock down/restricted period also be adjusted in the future bill.

For Petitioners in
all WPs : Mr.Muthumani Doraisami

For Respondents in
both WPs : Mr.N.Damodharan
Standing counsel

COMMON ORDER

The issue that has been raised in these present 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(LA)

//True copy//

Sub Assistant Registrar

To

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Tirunelveli-627 011
- 21.The Superintending Engineer,
Kanyakumari EDC, TANEDCO
Nagercoil-629001

+3cc to M/s.N.Damodaran, Advocate, SR.No.34276, 34277 & 34278

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vsn ii (co)
rr ii (08/12/2020)