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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 12477 of 2012

and

M.P.No.1 of 2012

Cholan Paper & Board Mills Ltd.,  
Bukkathurai,  
Maduranthagam Taluk,  
Kancheepuram District,  
Rep. by its Managing Director,  
A.R.M.Govindarajan

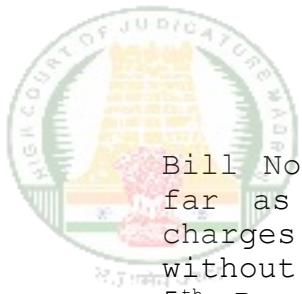
...Petitioner

Vs.

1. Tamil Nadu Electricity Regulatory  
Commission rep. By its 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,  
Chengalpattu Electricity  
Distribution Circle,  
Chengalpattu.
5. The Deputy Financial Controller,  
Tamil Nadu Generation and  
Distribution Corporation Ltd.,  
Chengalpattu Circle,  
Kancheepuram District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the  
Constitution of India, to issue a Writ of Certiorarified  
Mandamus, calling for the records of the 5<sup>th</sup> Respondent in his



Bill No.124 dated 12.04.2012 issued by the 5<sup>th</sup> Respondent in so far as it relates to the levy of penalty of excess demand charges to the tune of Rs.3,82,602/- as illegal, arbitrary, without the authority of law and consequently forbear the 4<sup>th</sup> and 5<sup>th</sup> Respondents 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 and direct the 5<sup>th</sup> Respondent to give refund/adjustment of the amount already collected from the Petitioner.

For Petitioner : M/s.P.T.Ramadevi

For Respondents : Mr.L.Jaivenkatesh  
For TANGEDCO [For R2 to R5]

No appearance -R1

#### ORDER

The High Tension Bill for the month of March 2012 issued by the Tamil Nadu Electricity Board is under challenge in the present writ petition.

2. The petitioner is a Mill, involved in the manufacturing of Paper and Paper Boards having High Tension Energy Electricity Supply in H.T.SC.No.124 in Pukkadurai Village, Chengalpattu, Kancheepuram District.

3. The grievances of the writ petitioner is that the High Tension bill issued by the respondents are erroneous and excess demand has been made. The penalty imposed is also untenable.

4. The petitioner has raised several grounds with reference to the description given in the bill and also the quantum of charges demanded.

5. This Court is of the considered opinion that all such disputed facts require an elaborate adjudication with reference to the documents and evidences available. Such an adjudication cannot be undertaken in a writ proceedings under Article 226 of the Constitution of India.

6. This apart, the petitioner is having an effective alternate remedy under Regulation 18 of the Tamil Nadu Electricity Supply Code. Thus, the petitioner has to approach the Consumer Grievances Redressal Forum for the purpose of adjudication of the disputed facts, so as to redress his grievances.



7. In this view of the matter, the petitioner is at liberty to approach the Consumer Grievances Redressal Forum for the purpose of adjudication of the issues and in the event of filing any such application, the Forum shall taken into consideration the period, during which, the writ petition was pending before the High Court for the purpose of condoning the delay, if any such application to condone the delay is filed and decide the issues on merits and in accordance with law as expeditiously as possible.

8. With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nti/kak

To

1. The Secretary,  
Tamil Nadu Electricity Regulatory  
Commission,  
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,  
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4. The Superintending Engineer,  
Chengalpattu Electricity  
Distribution Circle,  
Chengalpattu.



5. The Deputy Financial Controller,  
Tamil Nadu Generation and  
Distribution Corporation Ltd.,  
Chengalpattu Circle,  
Kancheepuram District.

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+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.67876

W.P.No. 12477 of 2012

AK-II (CO)  
CT 30/12/2021