



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.17301 & 14843 of 2013  
and  
M.P.Nos.1, 1, 2 & 2 of 2013

M/s.Sundaram Clayton Ltd.,  
Rep. by its Senior Executive - Legal  
Jayalakshmi Estates,  
No.29, Haddows Road, Chennai - 60 006.

...Petitioner in both WPs

.Vs.

1.The Tamil Nadu Electricity Board,  
rep. by its Chairman, Chennai-600 002.

2.The Superintending Engineer,  
Chennai West Electricity Distribution Circle,  
Anna Nagar, Chennai-600 040. ...Respondents in both WPs

COMMON PRAYER : Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2<sup>nd</sup> Respondent herein to forthwith grant No Objection Certificate/Concurrence in Annexure I for purchaser of power from Power Exchange in respect of HTSC Nos.1109 & 1514 of the Petitioner Industry at MTH Road, Padi, Chennai respectively, without insisting for payment of the amounts which are protected by the interim orders of this Court in WP.Nos.25245 and 25357 of 2010.

(In both WPs)

For Petitioner : Mr. AR.L.Sundaresan, Senior Counsel  
for M/s.AL.Ganthimathi

For Respondents : Mr.L.Jai Venkatesh  
Standing Counsel for TANGEDCO

COMMON ORDER

The learned Senior Counsel appearing on behalf of the petitioner made a submission that the respondents are not empowered to collect charges in view of the circular issued by the Board in Circular Memo No.CE/Coml/EET/AEE.2/F.Consumers with



arrears/D.28/13, dated 23.01.2014. It is contended that the actions are initiated in violation of the circular issued by the Board itself.

2.The learned counsel appearing on behalf of the Electricity Board has not disputed the circular and it is brought to the notice of this Court that the circular came into force after filing of the present writ petitions.

3.This being the factum, the respondents are directed to follow the circular with reference to the facts and circumstances of the case of the writ petitioner.

4.Accordingly, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

vs

To

1.The Tamil Nadu Electricity Board,  
rep. by its Chairman,  
Chennai-600 002.

2.The Superintending Engineer,  
Chennai West Electricity Distribution Circle,  
Anna Nagar, Chennai-600 040.

+1cc to M/s.AL.Gandhimathi, Advocate SR.No.62805

+1cc to Mr.L.Jaivenkatesh, Advocate SR.No.62097

W.P.Nos.17301 & 14843 of 2013  
and  
M.P.Nos.1, 1, 2 & 2 of 2013

GSM(CO)  
RVM(09/12/2021)