



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.6370 of 2018
and W.M.P.Nos.7905 & 7906 of 2018

Aaditya Aswin Paper Mills (P) Ltd.,
HTSC No.144
S.F.No.65, Ikkaraithathapally,
Kothaangalam, Sathamangalam - 638 451
Erode
Rep. its Authorised Signatory S.Mahandran

... Petitioner

Versus

1. Tamil Nadu Electricity Regulatory
Commission
Rep. by its Secretary
19-A, Rukmani Lakshmipathy Salai
(Marshall's Road),
Egmore, Chennai - 600 008.
2. The Tamilnadu Generation and Distribution
Corporation Ltd (TANGEDCO)
144, Anna Salai, Chennai - 600 002.
Represented by its Chairman
3. Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited
144, Anna Salai,
Chennai 600 002.
4. The Superintending Engineer,
Gobi Electricity Distribution Circle,
No.132-D Cutchery Street,
TANGEDCO
Gobichettipalayam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, calling for the records of the fourth respondent's impugned demand notice LR.No:SE/GEDC/DFC/F.HT 72/F.DKT/D049 No/2018 dated 06.03.2018 and quash the same as illegal, arbitrary and without authority of law and contrary to the orders passed by the first respondent and against Section 56(2) of the Electricity Act, 2003.



WEB COPY

For Petitioner : Mr.S.P.Parthasarthy

For R2 to R4 : Mr.Abdul Kalam
Standing Counsel

O R D E R

The writ petition has been filed challenging the impugned order dated 06.03.2018, demanding a sum of Rs.52,75,551/- towards short levy for the year 2012-13, 2013-2014 and 2014-2015 issued by the Superintending Engineer, Gobichettipalayam, the fourth respondent herein.

2.The learned counsel appearing for the petitioner would submit that when the similar issue was questioned by the Tamil Nadu Spinning Mills Association against the Tamil Nadu Electricity Regulatory Commission and others in I.A. No.736 of 2019 in D.F.R. No.1584 of 2019, the Appellate Tribunal for Electricity by order dated 24.07.2019 has passed an interim order to the effect that no coercive steps shall be taken against the appellant till the next date of hearing.

3.In view of the fact that an interim order dated 24.07.2019 has been passed by the Appellate Tribunal for Electricity in favour of the Tamil Nadu Spinning Mills Association in the similar issue as that of the petitioner, the writ petitions are disposed of, with a direction that no coercive steps shall be taken against the petitioner till the final orders are passed by the Tamil Nadu Electricity Regulatory Commission in D.F.R. No.1584 of 2019 and the said order will bind the petitioner as well. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

rst

To:

1. The Secretary,
Tamil Nadu Electricity Regulatory Commission
19-A, Rukmani Lakshmipathy Salai
(Marshall's Road),
Egmore, Chennai - 600 008.



2.The Chairman
The Tamilnadu Generation and Distribution Corporation Ltd
(TANGEDCO)
144, Anna Salai, Chennai - 600 002.

WEB COPY

3.Director Finance,
Tamil Nadu Generation and Distribution Corporation Limited
144, Anna Salai,
Chennai 600 002.

4.The Superintending Engineer,
Gobi Electricity Distribution Circle,
No.132-D Cutchery Street,
TANGEDCO
Gobichettipalayam.

+1cc to Mr.R.S.Pandiyaraj, Advocate SR. No.64652

W.P.No.6370 of 2018
and W.M.P.Nos.7905 & 7906 of 2018

PMK (CO)
PR (27/12/2021)