



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27092 of 2013
and
M.P.Nos.2 to 5 of 2013

M/s Tamil Nadu Newsprint & Papers Ltd.
Rep. by its Senior Manager (Marketing)
Mr.V.K.Parameshvaran
67, Mount Road
Chennai - 600 032.

... Petitioner

Vs.

1.Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO).
144, Anna Salai, Chennai - 600 002,
Represented by its
Chief Financial Controller-Revenue

2.Tamil Nadu Transmission Corporation Ltd
(TANTRANSCO),
144, Anna Salai, Chennai - 600 002.
Represented by its Chairman

3.Tamil Nadu Electricity Regulatory Commission,
No. 19A, Rukmini Lakshmipathy Salai,
Egmore, Chennai - 600 008.
Represented by its Secretary.

4.Superintending Engineer
TANGEDCO
Karur Electricity Distribution Circle

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in impugned letter No.CFC/FC/DFC/AAO.HT/AS.3/ D.NO.118/13, dated 22.08.2013 and the consequential demand vide Letter No.SE/KEDC/KRR/DFC/AS/HT/F.HT 15/2013 dated 13.09.2013 received from the 4th respondent Superintending Engineer, Karur Electricity



Distribution Circle and quash the same as arbitrary and illegal and consequently direct the respondents 1, 2 and 4 to collect only such charges as are legal and permitted by the orders of the 3rd respondent and Hon'ble APTEL.

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For Petitioner : Mr.Rahul Balaji
For R1, R2 and R4: Mr.L.Jai Venkatesh
Standing Counsel for TANGEDCO
For R3 : No Appearance

O R D E R

The learned counsel for the petitioner made a submission that during the pendency of the writ petition, the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) itself issued a revised Circular.Memo. No.CFC/REV/DFC/REV/AS.3/D.NO.384/17, dated 03.10.2017.

2. The impugned circular dated 22.08.2013 is referred in the revised circular, subsequently issued on 03.10.2017. Thus, the issues are covered in the revised Circular dated 03.10.2017. In view of the circular, the respondents are bound to take a fresh decision on merits in accordance with law.

3. The learned counsel for the petitioner made a submission that pursuant to the interim order granted in the present writ petition, the petitioner has deposited a sum of Rs.1,12,66,961/- (Rupees One Crore Twelve Lakh Sixty Six Thousand Nine Hundred and Sixty One only)

4. In view of the facts and circumstances, the respondents are directed to re-consider the issue based on the Circular dated 03.10.2017 and take appropriate decision on merits in accordance with law as expeditiously as possible and preferably within a period of 12 weeks from the date of receipt of a copy of this order.

5. With these directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar



Jeni/Kak

To

WEB COPY

- 1.The Chief Financial Controller-Revenue,
Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO).
144, Anna Salai,
Chennai - 600 002.
- 2.The Chairman,
Tamil Nadu Transmission Corporation Ltd
(TANTRANSCO),
144, Anna Salai,
Chennai - 600 002.
- 3.The Secretary,
Tamil Nadu Electricity Regulatory Commission,
No. 19A, Rukmini Lakshmipathy Salai,
Egmore,
Chennai - 600 008.
- 4.The Superintending Engineer,
TANGEDCO,
Karur Electricity Distribution Circle.

+lcc to Mr.R.Parthasarathy, Advocate SR.No.59278

W.P.No.27092 of 2013

PCH(CO)
CB(30/11/2021)