



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33711 of 2013

and

M.P.No.1 of 2013

M/s.Sundram Brake Linings Limited,
HT SC No.1282,
Represented by its Financial Controller
& Secretary Mr.S.Ramabadran,
No.180, Anna Salai, Chennai - 600 006.

... Petitioner

Vs.

1. Tamil Nadu Generation And Distribution Corporation Limited (TANGEDCO),
Represented by its Chairman and Managing Director,
144, Anna Salai, Chennai - 600 002.
2. The Superintending Engineer,
Chennai West Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
Thirumangalam, Chennai - 600 040.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents, their men, agents, representatives, officers, assigns, servants and/or anyone acting through or under them from in any manner preventing the petitioner from utilizing the power procured by them from Third Party, Captive, IEX, Wind and Open Access sources up to their sanctioned demand and from resorting to any R & C measures, not sanctioned by the Tamil Nadu Electricity Regulatory Commission, including load shedding power-cut or switching off the grid in respect of the 11 KV Dedicated Feeder connected to the Padi Sub- station and supplying power to the petitioner for their HT SC No.1282.

For Petitioner : Mr.N.L.Rajah
Senior Counsel
for Mr.Arun Anbumani & Arya Raj

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



O R D E R

The petitioner is a Company, engaged in the manufacture of brake linings and has its Factory in Padi, Chennai. It has a High Tension Electricity Supply connection bearing HT SC No.1282. The respondents have sanctioned the said High Tension supply with a maximum demand of 1,600 K.V.A.

2. The 1st respondent/Tamil Nadu Electricity Board during the relevant point of time between the years 2011 and 2013, was not in a position to supply sufficient quantity of power to the petitioner company. Due to various reasons, there was deficit of power supply throughout the State and under those circumstances, the supply of power was not provided as per the agreement between the petitioner and the respondent Board. Thus, the petitioner was constrained to move the present writ petition.

3. This Court passed an interim order on 10.12.2013, which reveals that the learned Standing Counsel of the TANGEDCO, made a submission that suitable instructions will be issued to the respondents not to switch off the grid or not to resort to load shedding, in respect of 11KV Dedicated Feeder connected to the Padi Sub Station supplying powers to the petitioner for their HT SC No.1282. The said interim order was implemented by the Board and it was extended by this Court subsequently on 07.03.2014 until further orders.

4. The learned senior counsel appearing on behalf of the petitioner, made a submission that the power supply restored pursuant to the interim order usage of Dedicated Feeder line provided to the petitioner is being maintained uninterrupted till now. The Electricity Board also has no idea to disrupt such continuous power supply to the petitioner. Under these circumstances, no further consideration is required with reference to the grounds raised during the relevant point of time in the year 2013, as the power supply has been restored and there is no such shortage as of now and the Electricity Board also not disrupted the electricity power.

5. Accordingly, the Writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Jeni/Nti



To

1. The Chairman and Managing Director,
Tamil Nadu Generation And Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai - 600 002.
2. The Superintending Engineer,
Chennai West Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Thirumangalam, Chennai - 600 040.

W.P.No.33711 of 2013

PMK(CO)
SU(02/12/2021)