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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.11663, 11666 and 11668 of 2020

M/s.Shri Hari Process,  
HTSC No.301,  
S.F.No.755,759/1,2,3,4  
Panickampalayam,  
Perundurai, Erode - 638 052  
rep. by its Authorized Singatory,  
M.Harirajeswar ... Petitioner in W.P.No.11663 of 2020

Speedlines Spinners India P. Ltd.,  
HTSC No.239,  
2/12, C.M.Thottam,  
Pallapalayam (Irugur Via),  
Coimbatore - 641 103  
rep. by its Managing Director,  
R.Thangaraj ... Petitioner in W.P.No.11666 of 2020

S.K.T. Textile Mills, HTSC No.206,  
No.182, Chettipalayam Road,  
Palladam - 641 664,  
Tirupur District,  
rep. by its Authorized Signatory,  
V.Gopal ... Petitioner in W.P.No.11668 of 2020

vs.

Tamil Nadu Electricity Regulatory  
Commission, rep. by its Secretary,  
19-A, Rukmini Lakshmipathy Salai,  
(Marshall's Road),  
Egmore, Chennai 600 008. ... 1<sup>st</sup> Respondent in all W.Ps.

The Chairman,  
Tamil Nadu Generation and Distribution  
Corporation Limited, 144, Anna Salai,  
Chennai 600 002. ... 2<sup>nd</sup> Respondent in all W.Ps.



The Director (Finance),  
Tamil Nadu Generation and Distribution  
Corporation Limited, 144, Anna Salai,  
Chennai 600 002. ...3<sup>rd</sup> Respondent in all W.Ps.

The Superintending Engineer,  
TANGEDCO,  
Erode Electricity Distribution Circle,  
Erode. ... 4<sup>th</sup> Respondent in W.P.No.11663 of 2020

The Superintending Engineer,  
TANGEDCO,  
Palladam Electricity Distribution Circle,  
Palladam. ...5<sup>th</sup> Respondent in W.P.No.11663 of 2020  
& 4<sup>th</sup> Respondent in W.P.No.11668 of 2020

The Superintending Engineer,  
TANGEDCO,  
Coimbatore Electricity Distribution Circle,  
Coimbatore. ...6<sup>th</sup> Respondent in W.P.No.11663 of 2020

The Superintending Engineer,  
TANGEDCO,  
Coimbatore Metro Electricity Distribution Circle,  
Coimbatore. ... 4<sup>th</sup> Respondent in W.P.No.11666 of 2020

The Superintending Engineer,  
TANGEDCO,  
Tirunelveli Electricity Distribution Circle,  
Tirunelveli. ... 5<sup>th</sup> Respondent in W.P.Nos.11666 & 11668 of 2020

The Superintending Engineer,  
TANGEDCO,  
Udumalpet Electricity Distribution Circle,  
Udumalpet. ... 6<sup>th</sup> Respondent in W.P.No.11668 of 2020

Writ Petition No.11663 of 2020 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the Petitioner until the Respondents make payment of the outstanding dues of Rs.7,10,512/- (for the year 2017-2019) payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.



Writ Petition No.11666 of 2020 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the Petitioner until the Respondents make payment of the outstanding dues of Rs.3,06,595/- (for the year 2017-2018) payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.

Writ Petition No.11668 of 2020 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the Petitioner until the Respondents make payment of the outstanding dues of Rs.12,05,497/- (for the year 2017-2018) payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.

For Petitioner in all W.Ps. : Mr.R.S.Pandiyaraj

For Respondents in all W.Ps. : Mr.L.Jai Venkatesh

#### C O M M O N O R D E R

Petitioners have come up with the above Writ Petitions seeking to forbear the the Respondents from collecting current consumption charges, demand charges and any arrears from them until the Respondents make payment of the outstanding dues of a sum of Rs.7,10,512/- for the year 2017-2018; a sum of Rs.3,06,595/- for the year 2017-2018 and a sum of Rs.12,05,497/- for the year 2017-2018, payable to them or give adjustment in the current consumption charges payable by them till the entire amount is adjusted.

2. As the issue involved in all Writ Petitions is one and the same, cases are taken up for disposal by a common order.

3. When the cases were taken up for hearing, learned counsel for the Petitioners fairly conceded that, the issue in question has already been decided by this Court in W.P.No.6776 of 2018, etc. batch of cases and that, the same order may be passed in the above Writ Petitions, as well.

4. Heard the learned counsel on either side and perused the material documents available on record.



5. In view of the fair stand taken by the learned counsel for the parties, in an identical circumstance, the learned Single Judge of this Court in W.P.No.6776 of 2018, etc, batch of cases, has held as under:

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"In view of the above, all these Writ Petitions are disposed of with the following directions:

(a) In all those cases, where the TANGEDCO has acted upon the interim orders passed by this Court and the entire outstanding amounts due to be payable has been adjusted, those Writ Petitions will be rendered infructuous since the grievance of those Petitions stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges/open access charges payable by the respective Petitioners and

the TANGEDCO shall not take coercive steps to disconnect the electricity connection to the Petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/open access charges payable by the Petitioners."

6. Following the ratio laid down in the said decision, this Court disposed of the Writ Petition in W.P.No.5218 of 2020 by an order dated 18.11.2021. Hence, in the aforesaid terms, these Writ Petitions are also disposed of. No costs. Consequently, connected W.M.P.Nos.14306, 14311 and 14314 of 2020 are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

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 Director (Finance),  
Tamil Nadu Generation and Distribution  
Corporation Limited, 144, Anna Salai,  
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4. The Superintending Engineer,  
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Erode Electricity Distribution Circle,  
Erode.
5. The Superintending Engineer,  
TANGEDCO,  
Palladam Electricity Distribution Circle,  
Palladam.
6. The Superintending Engineer,  
TANGEDCO,  
Coimbatore Electricity Distribution Circle,  
Coimbatore.
7. The Superintending Engineer,  
TANGEDCO,  
Coimbatore Metro Electricity Distribution Circle,  
Coimbatore.
8. The Superintending Engineer,  
TANGEDCO,  
Tirunelveli Electricity Distribution Circle,  
Tirunelveli.
9. The Superintending Engineer,  
TANGEDCO,  
Udumalpet Electricity Distribution Circle,  
Udumalpet.

+3ccs to Mr.R.S.Pandiyaraj, Advocate, S.R.No.68939

W.P.Nos.11663, 11666 & 11668 of 2020

VBM[co]  
NSK 19/01/2022