

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2021

Coram

The HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Nos. 19399, 19483, 19489, 19494, 19495, 19497, 19498, 19505,
19508, 19611, 19656, 19727, 19756, 19757, 19762, 19766, 19774,
19786 & 19886 of 2020

and

W.M.P.Nos.24089, 24092, 24097, 24099, 24101, 24104, 24113,
24117, 24231, 24232, 24289, 24290, 24374, 24378, 24397, 24398,
24399, 24400, 24413, 24422, 24435, 24450, 24550, 24551 of 2020

Malini Ravindran Petitioner
rep by her power agent T.R.Jayandan in W.P.19399 of 2020

1 ROYAL CLASSIC MILLS PVT LTD
HT SC.NO. 039094380051 31 PULIYAMARA
THOTTAM MANGALAM ROAD TIRPPUR REP BY ITS
DIRECTOR OPERATIONS S.N.VENKATACHALAM
...PETITIONER in WP No.19483 of 2020

1 GAJENDIRA SPECIALITY PAPER LLS LTD
HT SC NO.409 SF NO. 5/290 UKP
NATARAJ NAGAR GANDHI NAGAR POST UDUMALPET
REP BY ITS MANAGING DIRECTOR R.RAGUPATHY
... PETITIONER in WP No.19489 of 2020

1 ROYAL CLASSIC MILLS PVT LTD
HT SC NO. 039094380067 S.F NO.777 CLASSIC
COMPOUND NATHAKUDUTHOTAM PERIYANDIPALAYAM
TIRPPUR REP BY ITS DIRECTOR OPERATIONS S.N.
VENKATACHALAM ... PETITIONER in WP No.19494 of 2020

1 ROYAL CLASSIC MILLS PVT LTD
UNIT VI HT SC NO. 039094390517 S.F NO.
200/1D SENJERIPUTHUR PALLADAM TO UDUMALPET
ROAD PALLADAM TIRUPPUR REP BY ITS DIRECTOR
OPERATIONS S.N.VENKATACHALAM ... PETITIONER in WP
No.19495 of 2020

- 1 SRI GAJENDIRA PAPER AND BOARDS
PVT LTD HT SC NO. 240
CHINNAKALAYAMUTHUR PALANI TALUK DINDIGUL
REP BY ITS MANAGING DIRECTOR
R.RAGUPATHY ... PETITIONER in WP No.19497 of 2020
- 1 ROYAL CLASSIC MILLS PVT LTD
HT SC NO.039094380357 SF NO. 77/5 CLASSIC
COMPOUND NATHAKUDUTHOTAM PERIYANDIPALAYAM
PERIYANDIPALAYAM TIRUPPUR REP BY ITS
DIRECTOR OPERATIONS S.N.VENKATACHALAM... PETITIONER in WP
No.19498 of 2020
- 1 M/S.SUNRAYAS TEXTILES PROCES
S PVT LTD HT SC NO.254 NO.15 BOSEE STREET
SELLUR MADURAI REP BY ITS AUTHORISED
SIGNATORY P.RAJASEKAR .. PETITIONER in WP No.19505 of 2020
- 1 FIEM INDUSTRIES LTD UNIT III
HT SC NO.303 KELAMANGALAM ROAD
ACHETTIPALLI POST HOSUR 635110 REP BY ITS
BY ITS BY ITS GENERAL MANAGER HR AND ADMN K.
A.MANIKANDAN ... PETITIONER in WP No.19508 of 2020
- 1 N.SATHYANATHAN AND SONS PRIV
ATE LIMITED REPRESENTED BY ITS DIRECTOR K.
GAUTAM BALLAL HAVING OFFICE AT NO.112
KODAMBAKKAM HIGH ROAD CHENNAI 600 034
... PETITIONER in WP No.19611 of 2020
- 1 LUCAS INDIAN SERVICE LTD
REP BY S.RAMESH AUTHORISED SIGNATORY B6
AMBATTUR INDUSTRIAL ESTATE AMBATTUR
CHENNAI-58 ... PETITIONER in WP No.19656 of 2020

- 1 RADHA REGENT HOTELS PRIVATE
LIMITED REPRESENTED BY ITS AUTHORISED
SIGNATORY BHAVANI RAVISHANKAR HAVING
OFFICE AT NO. 171 JAWAHARLAL NEHRU SALAI
INNER RING ROAD ARUMBAKKAM ... PETITIONER in WP No.19727
of 2020
- 1 MADRAS HOTEL ASHOKA PRIVATE
LIMITED REPRESENTED BY ITS WHOLE TIME
DIRECTOR MR. K. ROSHAN BALLAL (46 YEARS)
HAVING OFFICE AT NO. 33 PANTHEON ROAD
EGMORE CHENNAI 9 600 008 ... PETITIONER in
WP No.19756 of 2020
- 1 RADHA RAJALAKSHMI HOTELS PRIVATE LIMITED
REPRESENTED BY ITS AUTHORISED
SIGNATORY BHAVANI RAVISHANKAR HAVING
OFFICE AT OLD NO. 66 NEW NO. 78 MOUNT
POONAMALLEE ROAD MANAPAKKAM VILLAGE
CHENNAI ...PETITIONER in WP No.19757
of 2020
- 1 VENKATALASHMI PAPER AND BOARDS PVT. LTD.
HT SC NO.210 ANDIPATTI ROAD
KOLUMUM 642 204 MADATHUKULAM TALUK
TIRUPPUR REP. BY ITS AUTHORIZED SIGNATORY R.
SRINIVASAN. ... PETITIONER in WP No.19762 of 2020
- 1 VENKATALASHMI PAPER AND BOAR
DS PVT. LTD. UNIT II HT SC NO.184
ANDIPATTI ROAD KOLUMUM 642 204
MADATHUKULAM TALUK TIRUPPUR REP. BY ITS
AUTHORIZED SIGNATORY
R.SRINIVASAN. ... PETITIONER in WP No.19766 of 2020

1 VENKATALASHMI PAPER AND BOAR
DS PVT. LTD. HT SC NO.053 ANDIPATTI ROAD
KOLUMUM 642 204 MADATHUKULAM TALUK
TIRUPPUR REP. BY ITS AUTHORIZED SIGNATORY
R.SRINIVASAN. ... PETITIONER in WP No.19774 of 2020

1 M/S. OHM SRINIVASA PAPER BOA
RD PRIVATE LTD REP BY ITS MANAGING DIRECTOR
SR.SHRINIVAS S/O. N.RAJU REDDIAR NO.631
BYE PASS ROAD THILLAI NAGAR SATTUR
VIRUDHUNAGAR-626203 ... PETITIONER in WP No.19786 of 2020

1 VETRIVEL EXPLOSIVES PVT LTD
(HOTEL DIVISION) REP BY ITS DIRECTOR R.
VETRIVEL HAVING OFFICE AT NO. 176 KENNADY
NAGAR JUNCTION MAIN ROAD
SALEM- 636302 ... PETITIONER in WP No.19886 of 2020

vs.

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
Chennai E.D.U/South - II,
110 KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

2. The Chief Financial Controller - Revenue
Tamil Nadu Generation and Distribution Corporation Limited
Chennai E.D.U/South - II
110 KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.

3. Tamil Nadu Electricity Regulation Commission,
No.19A, Rukmini Lakshmipathy Road,
Egmore, Chennai 600 008.

4. The Government of Tamil Nadu
Rep. by its Secretary of Government
Energy Department, Fort St.George
Chennai 600 009. ...Respondent in
W.P.No.19399 of 2020

The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO) Rep
by its Chairman and Managing Director 10th
floor No.144 Anna Salai Chennai-600 002

...1st Respondent in
WP.No.19483,19489,19494,19495
19497,19498,19505,19508,19611,
19727,19756,19757,19762,19766,
19774, 19786,19886 of 2020

The Chairman, Tamilnadu Generation and
Distribution Corporation Ltd,
144, Anna Salai, Chennai-600 002

...1st respondent in
WP.No.19656 of 2020

The Chief Financial Controller-
Revenue TANGEDCO 7th floor
144 Anna Salai Chennai 600 002

..2nd Respondent in
WP.No.19483,19489,
19494,19495,19497,19498
19505,19508,19762,19766
19774,19786 of 2020

The Deputy Finance Controller
(CEDC/Central) Tamil Nadu Generation and
Distribution Corporation Limited(TANGEDCO)
E and OE Mylapore

...2nd Respondent in
WP.No.19611 of 2020

Government of Tamil Nadu
Energy Department Fort St.George
Chennai

...2nd Respondent in
WP.No.19656 of 2020

The Accounts Officer/Revenue
(CEDC/West) Tamil Nadu Generation and
Distribution Corporation Limited(TANGEDCO)
E and OE Maduravoyal Tiruvallur 600 106

...2nd Respondent in
WP.No.19727 of 2020

The Deputy Finance Controller
(CEDC/Central) E and OE Egmore

...2nd Respondent in
WP.No.19756 of 2020

The Deputy Financial Controller
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
E and OE Alandur
kancheepuram 600 089

...2nd Respondent in
WP.No.19757 of 2020

The Accounts Officer/Revenue
Tamil Nadu Generation and Distribution
Corporation Ltd TANGEDCO E and OE
S.Ammapalayam, Salem

..2nd Respondent in
WP.No.19886 of 2020

The Superintending Engineer
TANGEDCO Tiruppur Electricity Distribution
Circle Tiruppur

...3rd Respondent in
WP.No.19483 of 2020
19494/2020, 19498/2020

The Superintending Engineer
TANGEDCO Mettur Electricity Distribution
Circle mettur Dam

...3rd Respondent in
WP.No.19489 of 2020

The Superintending Engineer
TANGEDCO Palladam Electricity Distribution
Circle Palladam

...3rd Respondent in
WP.No.19495 of 2020,

The Superintending Engineer
TANGEDCO Dindigul Electricity Distribution
Circle Dindigul

...3rd Respondent in
WP.No.19497 of 2020, 19766
19774 of 2020,

The Superintending Engineer
TANGEDCO Madurai Electricity Distribution
Circle Madurai

...3rd Respondent in
WP.19505/2020

The Superintending Engineer
TANGEDCO Krishnagiri Electricity
Distribution Circle Krishnagiri

...3rd respondent in 19508 of 2020

The Accounts Officer/Revenue Office
of the Superintending Engineer Anna Salai
Chennai

...3rd Respondent in WP.19656/2020

The Superintending Engineer
(TANGEDCO) Udumalpet Electricity
Distribution Circle Udumalpet

...3rd Respondent in WP.19762/2020

Prayer in W.P.No.19399 of 2020:

Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents or their subordinates to withdraw the maximum demand charges of Rs.17,64,000/- for the months of April 2020 till October 2020 for the petitioner and assess the same at 20% or to the extent of recorded demand and also to raise the monthly Bill calculating the maximum demand charges at the rate of 20% or to the extent of Recorded Demand for the months of May 2020 till November 2020 charges and to refund the amount collected so far from the petitioner or to adjust the same in future bill till the extended period of Lock down, if any, by the Government of Tamil Nadu and not to levy Power Factory penalty during the lock down period.

WP.No.19483 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

Wp.no.19489 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19494 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19495 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19497 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19498 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19505 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills

for the months of March 2020- October 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19508 of 2020:directing the Respondents to extend the benefit of the order of Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the constitution of India to the petitioner also and consequently direct the 3rd Respondents to cause to issue the fresh CC bills for the months of March 2020- October 2020 falling in the lockdown periods and also to further direct the Respondents to refund the excessively collected demand charges from the petitioner

WP.No.19611 of 2020:calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the Second Respondent for the month of March 2020 dated 04/04/2020 April 2020 dated 07/05/2020 May 2020 dated 03/06/2020 June 2020 dated 03/07/2020 July 2020 dated 04/08/2020 and August 2020 dated 04/09/2020 pertaining to Service No. 019094022082 in violation Regulation 6(b) of the Tamil Nadu Electricity Supply Code 2004 and quash the same and direct the Respondents to rework the HT bill with service number 019094022082 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the Second Respondent for the period from March 2020 to August 2020 and not to levy any penalty for the period of lockdown.

WP.No.19656 of 2020:calling for records of the 3rd respondent herein in Bill Nos. 9094061849042001 dated 02.04.2020 9094061849052002 dated 04.05.2020 9094061849062001 dated 02.06.2020 9094061849072001 dated 03.07.2020 9094061849082005 dated 03.08.2020 and 9094061849092007 dated 02.09.2020 and quash the same and consequently direct the respondents herein to issue fresh Bills for the period of lockdown in terms of Regulation 6(b) of the TN Electricity supply Code and adjust the excess sums paid on 06.04.2020 05.05.2020 03.06.2020 04.07.2020 06.08.2020 and 05.09.2020 with future bills and further forbear the respondents herein from levying and collecting any sums in excess of Minimum charges with respect to petitioner's service connection No.019094061849 until the lockdown is lifted.

WP.No.19727 of 2020:calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the Second Respondent for the month of March 2020 dated 03/04/2020 April 2020 dated 02/05/2020 May 2020 dated 04/06/2020 June 2020 dated 03/07/2020 July 2020

dated 05/08/2020 and August 2020 dated 01/09/2020 pertaining to Service No. 019094061625 in violation Regulation 6(b) of the Tamil Nadu Electricity Supply Code 2004 and quash the same and direct the Respondents to rework the HT bill with service number 019094061625 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the Second Respondent for the period from March 2020 to August 2020 and not to levy any penalty for the period of lockdown.

WP.No.19756 of 2020:Calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the Second Respondent for the month of March 2020 dated 04.04.2020 April 2020 dated 07.05.2020 May 2020 dated 04.06.2020 June 2020 dated 04.07.2020 July 2020 dated 04.08.2020 and August 2020 dated 04.09.2020 pertaining to Service No. 019094022143 in violation Regulation 6 (b) of the Tamil Nadu Electricity Supply Code 2004 and quash the same and direct the Respondents to rework the HT bill with service number 019094022143 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the second respondent for the period from March 2020 to August 2020 and not to levy any penalty for the period of lockdown.

WP.No.19757 of 2020:calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the Second Respondent for the month of March 2020 dated 09/04/2020 April 2020 dated 09/05/2020 May 2020 dated 09/06/2020 June 2020 dated 08/07/2020 July 2020 dated 10/08/2020 and August 2020 dated 07/09/2020 pertaining to Service No. 099094000981 in violation Regulation 6(b) of the Tamil Nadu Electricity Supply Code 2004 and quash the same and direct the Respondents to rework the HT bill with service number 099094000981 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the Second Respondent for the period from March to August 2020 and not to levy any penalty for the period of lockdown.

WP.No.19762 of 2020:Directing the respondents to extend the benefit of the order of this Honourable court dated 14/08/2020 passed in WP. No.7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per Article 14 of the Constitution of India to the Petitioner also and consequently direct the 3rd respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the respondents to refund the excessively collected demand charges from the petitioner.

WP.No.19766 of 2020:Directing the respondents to extend the benefit of the order of this Honourable court dated 14/08/2020

passed in WP. No.7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per article 14 of the Constitution of India to the Petitioner also and consequently direct the 3rd respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the respondents to refund the excessively collected demand charges from the petitioner.

WP.No.19774 of 2020:Directing the respondents to extend the benefit of the order of this Honourable court dated 14/08/2020 passed in WP. No.7678 of 2020 in a similar batch matter and to apply the order of this Honourable court as per article 14 of the Constitution of India to the Petitioner also and consequently direct the 3rd respondents to cause to issue the fresh CC bills for the months of March 2020- September 2020 falling in the lockdown periods and also to further direct the respondents to refund the excessively collected demand charges from the petitioner.

WP.No.19786 of 2020:directing the respondents to extend the benefit of the order of this Honourable court dated 14.8.2020 passed in WP No. 7678 of 2020 in Batch matter and to apply the order of this Honourable court without making any discriminatory approach to the petitioner also as guaranteed under Article 14 of the constitution of India and consequently direct the 1st and 2nd respondents to cause to revise and issue the fresh CC bills for the months of April 2020 -September 2020 falling in the lockdown periods as ordered by this Honourable court on 14.8.2020 and also to further direct the Respondents to refund the excessively collected demand charges in respect of the petitioners factory also who has paid it already and accordingly.

WP.No.19886 of 2020:calling for the records leading to the issuance of the original impugned High Tension Bills (Provisional) issued by the Second respondent for the month of March 2020 dated 09.04.2020 April 2020 dated 07.05.2020 May 2020 dated 09.06.2020 June 2020 dated 07.07.2020 July 2020 dated 08.08.2020 and August 2020 dated 07.09.2020 pertaining to Service No. 049094240291 in Violation Regulation 6(b) of the Tamil Nadu Electricity Supply Code 2004 and quash the same and direct the respondents to rework the HT Bill with service number 049094240291 and the excess amount shall be adjusted towards the future bills and the minimum charges alone shall be collected by the second respondent for the period from March 2020 to August 2020 and not to levy any penalty for the period of lockdown.

For Petitioners
in W.P.No.19399 of 2020

... Mr.C.Harsharaj

For petitioners
in W.P.Nos.19483, 19489,
19494, 19495, 19497, 19498,
19505, 19508 of 2020

... Mr.S.P.Parthasarathy

For petitioners
in W.P.Nos.19611, 19727,
19756, 19757, 19886 of 2020 ... Mr.Vijayan Subramanian

For petitioners
in W.P.No.19762, 19766,
19774 of 2020

... Mr.R.S.Pandiyaraj

For petitioner
in W.P.No.19786 of 2020

... Mr.M.Sarpudeenaliahamed

For Respondents
W.P.No.19399 of 2020

... Mr.P.Gunaraj,
Standing Counsel for R1 & R2
Mr.S.N.Parthasarathy
Govt.Advocate for R4

For petitioner
in W.P.No.19656 of 2020

... Mr.T.K.Bhaskar

For Respondents
in W.P.Nos.19483, 19489,
19494, 19495, 19497, 19498,
19505, 19508 of 2020
19762, 19766, 19774/2020
19786 & 19886/2020

... Mr.N.Damodaran
Standing Counsel

For Respondents
19611, 19727,
19756, 19656 of 2020

... Mr.P.R.Dilip Kumar
Standing Counsel

For Respondent in
WP.No.19757 of 2020,

... P.Gururaj
Standing Counsel

For Respondent in
WP.No.19508 of 2020,

... Mr.Varun Kumar

COMMON ORDER

The petitioners are the Industries having High Tension Electricity Supply and these Industries were locked down due to the orders of the Government on account of the Covid-19 pandemic situation. During the complete lock down period from 24.03.2020 upto September 2020 also, the 3rd respondent raised invoices by calculating the amount at the rate of 90% of the sanctioned demand, even though the petitioners were not running the industries during the said period.

2. Learned counsel for the petitioners by relying upon the order passed by this Court in W.P.No.7678/2020 dated 14.08.2020 submitted that as per the relevant provisions under section 6 (b) of the Supply Code, the respondents shall claim only 20% of the sanctioned demand or the actual usage during the period of similar nature.

3. Considering the relevant provisions, this Court has allowed similar batch of writ petitions on the following terms:

45. The above discussion leads this Court to the only conclusion that the maximum demand charges and the compensation charges levied by TANGEDCO against the petitioners who are HT consumers, is illegal, unsustainable and in violation of the statutory regulations. Accordingly, the Maximum Demand Charges and the compensation towards low PF that have been questioned in the impugned bills raised by the TANGEDCO for each of the consumers who are parties in these batch of writ petitions, is hereby quashed. The following directions are also issued by this Court:

a) TANGEDCO shall issue a revised bill to the petitioners by applying Regulation 6(b) of the Supply Code for the entire period when the establishment was under shut down;

b) If TANGEDCO has already recovered the entire dues from any of the petitioners, the bill shall be reworked in accordance with the direction given in Clause (a) and the excess amount shall be adjusted towards the future bills;

c) If the demand made by TANGEDCO has been adjusted from the security deposit and any of

the petitioner has been asked to pay any amount towards additional security deposit on that count, the said claim shall be withdrawn forthwith and the calculation of the additional security deposit shall be independently done under Regulation 5 of the Supply Code and demand/ adjustment shall be done in accordance with the said Regulation;

d) The TANGEDCO shall not levy compensation charges towards low PF from the petitioners during the period of lockdown. Even if such levy is made in future, show cause notice shall be issued to the consumer and an opportunity shall be given to the consumer before levying any compensation under Clause 6.1.1.6 of the Tariff Regulation;

e) If any amount has already been recovered towards levy of compensation charges for low PF from any of the petitioners, the said amount shall be adjusted towards future bills;

f) These directions will apply only for the period during which the establishment was under total lockdown due to the orders issued by the Government and it is made clear that it pertains only to the Minimum Charges payable under Regulation 6(b) of the Supply Code and there is no exemption or concession insofar as the charges payable for the actual consumption of electricity (Energy Charges); and

g) If any of the establishments continue to be under lockdown due to the Government Orders passed in this regard, the minimum charges alone shall be collected till the lifting of the lockdown.

4. However, the learned Standing Counsel for the Electricity Board raised certain objections and submitted that the order passed by this Court in W.P.No.7678/2020 etc. batch have been challenged by way of Writ Appeal before the Division Bench of this Court.

5. Considering the relevant provisions of law and the order passed by this Court and that the Industries were not permitted to function on account of lock down announced by the Government, these Writ Petitions are allowed in terms of the order passed in W.P.Nos.7678/2020 etc. batch dated 14.08.2020. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

dpq
To

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
Chennai E.D.U/South - II,
110 KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.
2. The Chief Financial Controller - Revenue
Tamil Nadu Generation and Distribution Corporation Limited
Chennai E.D.U/South - II,
110 KV Sub Station Complex,
Anna Main Road,
Chennai 600 078.
3. Tamil Nadu Electricity Regulation Commission,
No.19A, Rukmini Lakshmipathy Road,
Egmore, Chennai 600 008.
4. The Government of Tamil Nadu
Rep. by its Secretary of Government
Energy Department, Fort St.George
Chennai 600 009.
5. The Tamil Nadu Generation and
Distribution Corporation Ltd (TANGEDCO) REP
by its chairman and Managing Director 10th
floor No.144 Anna salai Chennai 600 002

6.The Chairman, Tamilnadu Generation and
Distribution Corporation Ltd,
144, Anna Salai, Chennai-600 002

7.The Chief Financial controller-
Revenue TANGEDCO 7th floor
144 Anna Salai Chennai-600 002

8.The Deputy Finance Controller
Revenue TANGEDCO 7th floor
144 Anna Salai Chennai 600 002

9.The Deputy Fianance Controller
(CEDC/CENTRAL)Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO)
E and OE Mylapore

10.Government of Tamil Nadu
Energy Department Fort St.George Chennai

11.The Accounts Officer/Revenue
(CEDC/West) Tamil Nadu Generation and
Distribution Corporation Limited (TANGEDCO)
E and OE Maduravoyal Tiruvallur 600 106

12.The Deputy Finance Controller
(CEDC/Central)E and OE Egmore

13.The Deputy Financial Controller
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO) E and OE
Alandur kancheepuram 600 089

14.The Accounts Officer/Revenue
Tamil Nadu Generation and Distribution
corporation Ltd TANGEDCO E AND OE
S.Ammapalayam Salem

15.The Superintending Engineer
TANGEDCO Tiruppur Electricity Distribution
circle Tiruppur

16.The Superintending Engineer
TANGEDCO Mettur Electricity Distribution
Circle Mettur Dam

17.The Superintending Engineer

TANGEDCO Palladam Electricity Distribution
circle, Palladam

18.The Superintending Engineer
TANGEDCO Dindigul Electricity Distribution Circle
Dindigul

19.The Superintending Engineer
TANGEDCO Madurai Electricity distribution
Circle Madurai

20.The Superintending Engineer
TANGEDCO Krishnagiri Electricity
Distribution circle Krishnagiri

21.The Accounts Officer/Revenue
Office of the Superintending Engineer
Anna Salai Chennai

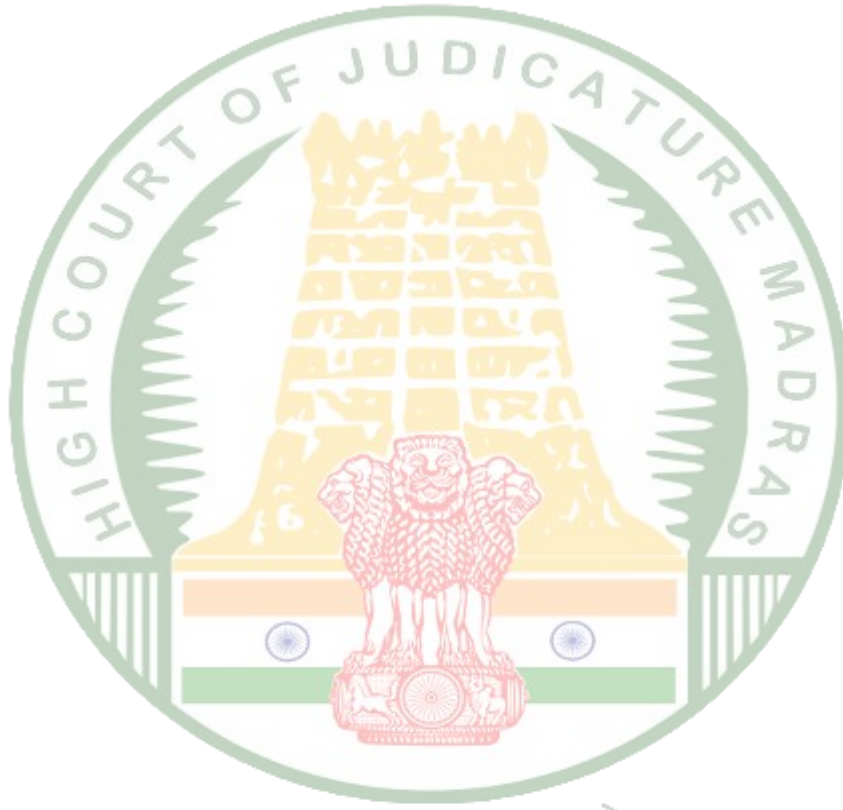
22.The Superintending Engineer
(TANGEDCO) Udumalpet Electricity
Distribution Circle Udumalpet

+1 cc to Mr.T.K.Bhaskar advocate sr5998
+11 ccs to Mr.R.S.Pandiyaraj Advocate sr6338

W.P.Nos. 19399, 19483, 19489,
19494, 19495, 19497, 19498,
19505, 19508, 19611, 19656,
19727, 19756, 19757, 19762,
19766, 19774, 19786
& 19886 of 2020

jp(co)
aa10/03/2021

WEB COPY



सत्यमेव जयते

WEB COPY