



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.21286 OF 2019

Jayavelu Spinning Mills Pvt. Ltd,
HTSC No.232,
Great Cotton Road, Mettilpatti Village,
Vilathikulam Taluk, Tuticorn District
rep.by its Director G.Ravi

... Petitioner

.Vs.

1. The State of Tamil Nadu,
rep.by its Secretary to Government,
Energy Department,
Fort St.George,
Chennai 600 009.

2. The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai, Chennai 600 002.

3. The Superintending Engineer,
TANGEDCO, Tuticorn Electricity Distribution Circle,
Tuticorn.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Forbearing the 2nd and 3rd respondents from demanding and collecting the tax maximum demand charges from the petitioner in H.T.Sc. No. 232 as per the orders of the Honble Supreme Court of India New Delhi on 31.8.2012 in SLP (C) No. 24993 of 2012 and 25522 of 2012etc. Batch in M/s Sri Krishna Alloys and Etc. Vs. Union of India and others etc.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.Jaivenkateh
Government Advocate (TNEB)



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus forbearing the 2nd and 3rd respondents from demanding and collecting the tax maximum demand charges from the petitioner in H.T.Sc. No. 232, as per the orders of the Hon'ble Supreme Court of India New Delhi on 31.8.2012 in SLP (C) No. 24993 of 2012 and 25522 of 2012 etc. Batch in M/s Sri Krishna Alloys and Etc. Vs. Union of India and others etc.

2. The issue raised in the present petition is being settled against the petitioner in terms of the Division Bench Judgment in W.P.Nos.159 of 2008 and etc., (batch) decided on 15.06.2012 and thereafter, the Hon'ble Supreme Court having entertained the Special Leave Appeals against the said judgment bearing Special Leave Appeal (Civil) Nos.24685 to 24719 of 2012 dated 31.08.2012 with an interim direction restraining the respondents therein from taking any coercive steps for disconnecting the supply of electricity to the premises of the petitioner therein, subject to that petitioner paying all the charges / dues except tax calculated on the basis of maximum demand, it is agreed that the present writ petition be disposed of in the terms aforesaid, with the agreement that the ultimate fate of the matter before the Hon'ble Supreme Court would also govern the present petitioner and the same interim order would continue to enure for the benefit of the writ petitioner during the pendency of the Special Leave Appeals.

3. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sk

To

1. The Secretary to Government,
Energy Department,
Fort St.George,
Chennai 600 009.



2. The Chairman and Managing Director,
TANGEDCO Ltd.,
144, Anna Salai, Chennai 600 002.

3. The Superintending Engineer,
TANGEDCO, Tuticorn Electricity Distribution Circle,
Tuticorn.

+lcc to Mr.R.S.Pandiyaraj, Advocate, S.R.No.63660

W.P.No.21286 of 2019

RLD(CO)
PM/05/01/2022