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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21974 of 2021
and
W.M.P.No.23179 of 2021

Tamil Nadu Spinning Mills Association
Registration No.330/97, #2, Karur Road
Modern Nagar, Dindigul-624 001
Tamil Nadu, rep,by its Chief Advisor
Dr.K.Venkatachalam

...Petitioner

-Vs-

1. Tamilnadu Electricity Regulatory Commission
4th Floor, SIDCO Corporate Office Building
Thiru.Vi.Ka.Industrial Estate, Guindy
Chennai - 600 032, rep.by its Secretary.
2. The Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO), represented by
its Chief Financial Controller-Regulatory Cell
7th Floor, 144, Anna Salai, Chennai - 600 002.
3. The Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO), represented by
its Chairman and Managing Director, 10th Floor
No.144, Anna Salai,
Chennai - 600 002.

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent the State Commission to keep the order in M.P.No.30 of 2021 dated 29.09.2021 in abeyance, till the disposal of the appeal petition of the petitioner pending in Appeal No.177 of 2021 before the Hon'ble APTEL challenging the very maintainability of the levy of the Additional surcharge as ordered in M.P.No.18 of 2020 dated 15.04.2021 pertaining to the period from 16.04.2021 to 30.09.2021.

For Petitioner : Mr.R.S.Pandiyaraj

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel



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O R D E R

Learned counsel for the petitioner sought for permission to withdraw the writ petition with a liberty to work out their remedy before the APTEL, where the appeal is pending.

2. Accordingly, this writ petition is dismissed with liberty to the petitioner to work out their remedy before the APTEL in the pending appeal. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Secretary, Tamilnadu Electricity Regulatory Commission
4th Floor, SIDCO Corporate Office Building,
Thiru.Vi.Ka.Industrial Estate,
Guindy
Chennai - 600 032.
2. The Chief Financial Controller-Regulatory Cell,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
7th Floor, 144,
Anna Salai,
Chennai - 600 002.
3. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
10th Floor, No.144,
Anna Salai, Chennai - 600 002.

+1cc to Mr.R.S.Pandiyaraj, Advocate, S.R.No.53026

W.P.No.21974 of 2021

PA[co]
NSK 27/10/2021