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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.27559 AND 27564 OF 2021
W.M.P.NO.29102 AND 20104 OF 2021

M/s.Shri Dhanalakshmi Spintex P. Ltd.,
HTSC 265, S.F.No.226/3,
NH 47, Avinashi Road,
Karumathampatti - 641 659,
Coimbatore District,
Rep. by its Authorized Signatory,
N.Neelaraj

... Petitioner in W.P.No.27559
of 2021

Jay Jay Mills (India) P. Ltd.,
HT SC No.049094260306,
Plot No.K32, SIPCOT Industrial Growth Centre,
Perundurai - 638 052.
Rep. by Authorized Signatory,
C.Manohkharan

... Petitioner in
W.P.No.27564 of 2021

.Vs.

The Tamil Nadu Electricity
Regulatory Commission,
Rep. by its Secretary,
19-A, Rukmini Lakshmipathy Salai,
(Marshall's Road), Egmore,
Chennai - 600 008.

... 1st Respondent in both W.Ps.

The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.

... 2nd Respondent in both W.Ps.

The Director of Finance,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.

... 3rd Respondent in both W.Ps.



The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

... 4th Respondent in
W.P.No.27559 of 2021

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The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
Erode.

... 4th Respondent in
W.P.No.27564 of 2021

The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

... 5th Respondent in
W.P.No.27559 of 2021

The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

... 5th Respondent in
W.P.No.27564 of 2021

PRAYER IN W.P.NO.27559 OF 2021:-

Writ Petition 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 Respondent makes payment of the outstanding dues of Rs.94,64,780/- (for the period from January 2020 to October 2020) payable to the Petitioner or give adjustment in the current consumption charges payable by the Petitioner till the entire amount is adjusted.

PRAYER IN W.P.NO.27564 OF 2021:-

Writ Petition 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 Respondent makes payment of the outstanding dues of Rs.57,39,546/- (for the period from 04/2017 to 10/2017) payable to the Petitioner or give adjustment in the



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current consumption charges payable by the Petitioner till the entire amount is adjusted.

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

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

C O M M O N O R D E R

Petitioners have come up with the Writ Petitions seeking to forbear the the Respondents from collecting current consumption charges, demand charges and any arrears from them until the Respondent makes payment of the outstanding dues of a sum of Rs.94,64,780/- for the period from January 2020 to October 2020 and a sum of Rs.57,39,546/- for the period from April 2017 to October 2017, 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 both Writ Petitions is one and the same, cases are taken up for disposal by a common order.

3. When the matter was 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:

"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;



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(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.No.29102 of 2021 and W.M.P.No.29104 of 2021 are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

(aeb)

To

1. The Secretary,
Tamil Nadu Electricity Regulatory Commission,
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 of Finance,
Tamil Nadu Generation and Distribution
Corporation Limited,
144, Anna Salai,
Chennai - 600 002.



4. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore.

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5. The Superintending Engineer,
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6. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

7. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

+2ccs to Mr.R.S.Pandiyaraj, Advocate, S.R.No.68940

W.P.NOS.27559 AND 27564 OF 2021

KSM(CO)
PBS/11/01/2022