



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.27750, 27761 & 27769 of 2019
and

W.M.P.Nos.27281, 27284, 27294, 27295, 27299 & 27302 of 2019

M/s.V.R.Foundries-Unit II HTSC No.682,
S.F.No.478/1&2, Ponnandampalayam,
Kaniyur Village, Sulur Taluk,
Coimbatore - 641004.
Represented by its Authorised Signatory,
Mr. K.Senthilkumar ...Petitioner in W.P.No.27750 of 2019

M/s.Ranba Castings Ltd., HTSC No.171,
83, P.K.D. Nagar,
Peelamedu, Coimbatore.
Repd. by its Authorised Signatory,
K.Senthilkumar ...Petitioner in W.P.No.27761 of 2019

M/s.Rajsriya Automotive Industries P Ltd.,
HTSC No.660,
F31-f34 Cross Main Road, SIPCOT Industrial Park,
Irunkattukottai, Sriperumbuthur-602 105.
Repd. By its Manager HR & Admin
Shankar ...Petitioner in W.P.No.27769 of 2019

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.

...1&2 Respondents in all W.Ps

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

...3rd Respondent in W.P.Nos.27750 & 27761 of 2019



4. The Superintending Engineer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu. ...3rd Respondent in W.P.No.27769 of 2019

WEB COPY

C O M M O N P R A Y E R: Petitions 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 on maximum demand charges from the petitioners in H.T.Sc.No. 682, 171 & 660 respectively as per the orders of the Hon'ble Supreme Court of India, New Delhi on 31.08.2012 in SLP (c) No.24993 of 2012 and 25522 of 2012 etc. Batch in M/s.Sri Krishna Alloys & Etc. Vs. Union of India and others etc.

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

For Respondent R1 : M/s.C.Sagamithirai,
Special Government Pleader
in all W.Ps

For RespondentR2&R3 : Mr.L.Jaivenkatesh,
Standing Counsel in all W.Ps

O R D E R

Writ Petitions are filed seeking a direction to forbear the 2nd and 3rd Respondents from demanding and collecting tax on maximum demand charges from the Petitioners in H.T.Sc.No.682, 171 and 660 respectively, as per the order dated 31.08.2012 passed by the Apex Court in S.L.P.(C) No.24993 of 2012 and 25522 of 2012, etc. batch in the case of M/s.Sri Krishna Alloys vs. Union of India.

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 matter is taken up for hearing, learned counsel for the Petitioners submitted that, the issue involved in the present Writ Petitions is squarely covered by the order dated 25.07.2019 passed by this Court in W.P.No.21902 of 2019. For better appreciation, relevant portion of the said order is extracted hereunder:

"3.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



WEB COPY

the Special Leave Appeals against the said judgment bearing Special Leave (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."

4.As the said interim order passed by the Apex Court governs the Writ Petitioners herein, the above Writ Petitions are disposed of in terms of the said order passed by the Apex Court. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

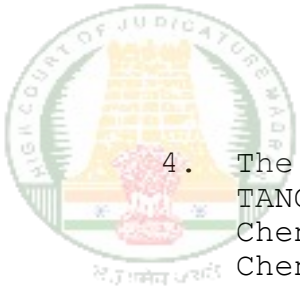
//True Copy//

Sub Assistant Registrar

skt

To

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,
Coimbatore South Electricity Distribution Circle,
Coimbatore.



4. The Superintending Engineer,
TANGEDCO,
Chengalpattu Electricity Distribution Circle,
Chengalpattu.

WEB COPY

+3cc to Mr.Pandiyaraj, Advocate, S.R.No.66406

+1cc to the Government Pleader, S.R.No.66609

W.P.Nos.27750, 27761 & 27769 of 2019
and
W.M.P.Nos.27281, 27284, 27294, 27295,
27299 & 27302 of 2019

MG (CO)
RGA (10/02/2022)